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FILE NO. 090341 RESOLUTION NO. 101-09

[Resolution Celebrating March 2009 as American Red Cross Month]

Resolution Celebrating March 2009 as American Red Cross Month.

WHEREAS, the American Red Cross Bay Area was founded in 1898, with the mission to provide relief to victims of disaster and to help people prevent, prepare for, and respond to emergencies; and

WHEREAS, the American Red Cross Bay Area has a long history of assisting those in need in the bay area, by helping to shelter 35,000 homeless people, feeding 200,000 people, and raising over $8.5 million to aid and restore San Francisco after the 1906 earthquake; and

WHEREAS, the American Red Cross, a leading voluntary agency, chartered and authorized by U.S. Congress to act in times of need, provides compassionate assistance to those afflicted by personal, local and national disasters; and

WHEREAS, the American Red Cross Bay Area helped over 1070 families with temporary housing, clothing, food, and mental health counseling during 500 local disasters last year; and

WHEREAS, last year the American Red Cross Bay Area trained over 143,877 people in lifesaving CPR, first aid, and water safety practices to ensure that the people who count on the Red Cross for the information and skills they need to be safe at home, at work, at school, and at play received these services; and

WHEREAS, through the Prepare Bay Area initiative and community preparedness programs, over 240,207 individuals received training in safety practices, disaster preparedness, and lifesaving skills; and

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WHEREAS, the Red Cross staff deploys with the U.S. military to provide emergency communications, counseling, financial assistance, and a caring presence to 2,327 local military families in the Bay Area; and

WHEREAS, the Red Cross Blood Services support 31 Bay area hospitals, providing them with more than 134,000 units of red cells, platelets, and plasma to patients in need; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends the American Red Cross on its invaluable work and contribution within the San Francisco community, the greater Bay Area, and through out the country, and hereby proclaims March 2009 as American Red Cross Month in the city and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090341 **Date Passed:**

Resolution celebrating March 2009 as American Red Cross Month.

March 24, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090341

I hereby certify that the foregoing Resolution was ADOPTED on March 24, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/2/09
Date Approved

Mayor Gavin Newsom

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FILE NO. 090359 RESOLUTION NO. 102-09

[Commending officers of the Oakland Police Department who were killed in the line of duty.]

Resolution honoring the public service of Oakland Police Department officers John Hege, Mark Dunakin, Daniel Sakai and Ervin Romans on the occasion of their sacrifice in the line of duty.

WHEREAS, Officer John Hege served the entire Bay Area as a member of the Oakland Police Department, as a teacher, as a high-school baseball umpire; and

WHEREAS, Sergeant Mark Dunakin served the entire Bay Area as a member of the Oakland Police Department for over eighteen years; and

WHEREAS, Sergeant Daniel Sakai served the entire Bay Area as a member of the Oakland Police Department, and as a community service officer at the University of California at Berkeley; and

WHEREAS, Sergeant Ervin Romans served the entire Bay Area as a member of the Oakland Police Department for thirteen years; and

WHEREAS, our personal safety, and the safety of the public depends on the men and women who are the first responders in law enforcement agencies; and

WHEREAS, we are grateful to Officer Hege, Sergeant Dunakin, Sergeant Sakai and Sergeant Romans for their service, bravery and sacrifice; and

WHEREAS, our thoughts and prayers are with the colleagues, friends and families of Officer Hege, Sergeant Dunakin, Sergeant Sakai, and Sergeant Romans; now, therefore be it

RESOLVED, that The City and County of San Francisco commends Officer Hege, Sergeant Dunakin, Sergeant Sakai, and Sergeant Romans for their service to the public, their duty and their sacrifice; and, be it

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FURTHER RESOLVED, that it is requested that the Clerk of the Board of Supervisors transmit this resolution to the families of the Oakland Police officers, the Mayor of Oakland, the Chief of the Oakland Police Department and the leadership of the Oakland Police Officers' Association to express our profound sadness and condolences.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 090359 **Date Passed:**

Resolution honoring the public service of Oakland Police Department Officers John Hege, Mark Dunakin, Daniel Sakai and Ervin Romans on the occasion of their sacrifice in the line of duty.

March 24, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090359

I hereby certify that the foregoing Resolution was ADOPTED on March 24, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/2/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090346 RESOLUTION NO. 103-09

[Celebrating the Persian New Year holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz resolution.]

Resolution Celebrating the Persian New Year holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz resolution.

WHEREAS, Nowruz, meaning "New Day," occurs on the vernal equinox and celebrates the beginning of Spring; and

WHEREAS, Nowruz marks the beginning of the Persian New Year, and is traditionally the largest and most anticipated holiday in Iranian culture; and,

WHEREAS, Nowruz is a time of reflecting on and clearing away the trials of the previous year, and ushering in hope for the new year; and,

WHEREAS, Nowruz begins with Sal Tahvil, the New Year's Eve, which is traditionally celebrated with a countdown to the moment of the vernal equinox; and

WHEREAS, In 2009, the vernal equinox occurs on Friday March 20th at 4:44:30 a.m. Pacific Daylight Time; and

WHEREAS, Sal Tahvil is followed by celebrating twelve days of Deed-o Bazdeed, exchanging visits with friends and family; and,

WHEREAS, The Nowruz celebration concludes with Seedzah Bedar on the thirteenth day, which is a day of outdoor celebrations and has become a national day of picnics in Iran; and,

WHEREAS, Nowruz is celebrated by nearly 300 million Iranians and other peoples all over the world, including in the United States, Iran, and other countries in Central Asia, South Asia, Caucasus, Crimea and Balkan regions; and

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WHEREAS, Nowruz is celebrated by more than one million Iranian-Americans of all backgrounds, including those with Baha'i, Christian, Jewish, Muslim, Zoroastrian, and non-religious backgrounds; and

WHEREAS, Iranian-Americans have greatly contributed to the social and economic fabric of American society; and,

WHEREAS, San Francisco is a true melting pot of ethnicities and religions with no single race representing a majority of the City's population; and

WHEREAS, A survey commissioned by the Public Affairs Alliance of Iranian Americans has found that 38% of Americans are unfamiliar with Iranian-Americans and 58% are unfamiliar with Persian-Americans; and

WHEREAS, At a time of tense relations between the governments of the United States and Iran, promoting and celebrating the Nowruz holiday can help with furthering understanding between the peoples of our two countries; and

WHEREAS, Michael Honda, member of Congress, plans to introduce a resolution in the United States House of Representatives in observance of Nowruz; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco wishes Iranian-Americans, the people of Iran, and all those who celebrate Nowruz, a prosperous new year; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges San Francisco's representatives in the United States Congress to sign on as co-sponsors of Congressperson Honda's Nowruz resolution.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090346 **Date Passed:**

Resolution celebrating the Persian New Year Holiday of Nowruz and urging San Francisco's representatives in Congress to co-sponsor Congressperson Michael Honda's Nowruz Resolution.

March 24, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090346

I hereby certify that the foregoing Resolution was ADOPTED on March 24, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/2/09
Date Approved

Mayor Gavin Newsom

FILE NO. 081330 RESOLUTION NO. 104-09

[Adopting the United Nations Convention on the Rights of the Child]

Resolution urging the Board of Supervisors to adopt the United Nations Convention on the Rights of the Child and supporting its inalienable freedoms for children and youth in San Francisco.

WHEREAS, The San Francisco Youth Commission recognizes that children and youth are unique and invaluable to the human race as the continuum of our existence and livelihood,

WHEREAS, The San Francisco Youth Commission recognizes that youth and children under 18 comprise nearly 15 percent of the population of San Francisco, and nearly 40 percent of households in San Francisco have children and youth under 18, and

WHEREAS, The SF Youth Commission recognizes that between the years of 2000 to 2006 the population of youth in SF between the ages of 15 through 19 declined by nearly 15 percent, and

WHEREAS, Youth in San Francisco face numerous risk factors to their health growth and development, including harmful outside influences, such as abuse, exploitation, drugs, and gangs, so that in 2006 45% of youth in San Francisco felt at risk due to gang involvement and violence in their communities, and

WHEREAS, San Francisco youth have identified a problem with the family core such that 45% of youth feel at risk due to poor family supervision; and the Foster care System is overburdened with over 1,700 youth in San Francisco's Foster Care system in fall 2007, and

WHEREAS, In 2007, almost 13,000 families in San Francisco made choices between basic needs such as rent, utilities, and food as a result of limited income, and San Francisco public schools are floundering at only 61% capacity, and

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WHEREAS, Undocumented youth in San Francisco are denied the right to be returned to parents if forcefully removed due to deportation; and there are 18,000 youth between the ages of 12 and 16 with at least one immigrant parent, and

WHEREAS, In 2008 ~~Last year~~, the City and County of San Francisco initiated a new policy to automatically refer undocumented youth booked ~~charged~~ with felonies to Immigration and Customs Enforcement officials before their adjudication: and,

WHEREAS, In the light of these risks, San Francisco is in need of a policy that aims to transform and improve the plight of youth in San Francisco, and

WHEREAS, The Convention on the Rights of the Child sets standards of basic human rights for children, and seeks to help the States and Governments fulfill their basic needs, and

WHEREAS, The UN Convention of the Rights of the Child articles 19, 33, 34, and 36 indicate that children have a right to be protected from violence, abuse and economic exploitation, and

WHEREAS, The UN Convention of the Rights of the Child articles 3, 39, and 40 pertain to the right that children have to basic needs such as education, housing, healthcare etc., and

WHEREAS, The UN Convention of the Rights of the Child articles 9, 11 indicates that children who are removed from their parents due to deportation have a right to be returned to their families where it is feasible and in the best interests of the youth, and

WHEREAS, The Convention states in article 40 that each child is an individual, neither a possession nor harlequin object, whose freedoms, as protected by the Constitution of our Founding Fathers and the Bill of Rights, cannot be stripped away; and

WHEREAS, Article 40 further states that "Every child alleged or accused of having infringed penal law" is presumed ~~has the right to be considered~~ innocent before their petition is sustained ~~proven guilty~~ and has the right to due process under the law; and,

WHEREAS, The UN Convention of the Rights of the child articles 12, 13 and 14 pertain to the right that children and youth have to the unabridged freedom of expression, and

WHEREAS, Support of the convention will bring forth the Youth Commission message that the unheard voices of youth be free to permeate our government's walls to influence and inform the legislation affecting us; therefore, be it

WHEREAS, That the San Francisco Youth Commission adopts the UN Convention on the Rights of Child Policy, with the convention as a guide for advocating for youth, and be it

RESOLVED, That the Board of Supervisors adopts the UN Convention on the Rights of the Child,

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081330 **Date Passed:**

Resolution urging the Board of Supervisors to adopt the United Nations Convention on the Rights of the Child and supporting its inalienable freedoms for children and youth in San Francisco.

March 3, 2009 Board of Supervisors — AMENDED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 2 - Chu, Elsbernd

March 3, 2009 Board of Supervisors — RE-REFERRED: City Operations and Neighborhood Services Committee

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

March 31, 2009 Board of Supervisors — DIVIDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

March 31, 2009 Board of Supervisors — ADOPTED AS DIVIDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 081330

I hereby certify that the foregoing Resolution was ADOPTED AS DIVIDED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4-10-09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: April 10, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
081330

FILE NO. 090430 | Divided in Board 3/31/09 | RESOLUTION NO. 105-09

[Adopting the United Nations Convention on the Rights of the Child]

Resolution urging the Board declaring it City policy to provide every youth who has contact with the juvenile justice system his or her right to full due process under the law before any City employee initiates communication with federal immigration officials regarding said youth's disposition.

RESOLVED, That the Board of Supervisors following the United Nations Conventions on the Rights of the Child hereby declares it City policy to provide every youth who has contact with the juvenile justice system his or her right to full due process under the law before any City employee initiates communication with federal immigration officials regarding said youth's disposition.

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090430 **Date Passed:**

Resolution urging the Board of Supervisors declaring its City policy to provide every youth who has contact with the juvenile justice system his or her right to full due process under the law before any City employee initiates communication with federal immigration officials regarding said youth's disposition.

March 31, 2009 Board of Supervisors — RECEIVED AND ASSIGNED: Board of Supervisors

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

File No. 090430

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4-10-09

Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: April 10, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090430

Amendment of the whole
in committee. 3/23/09

FILE NO. 081526 RESOLUTION NO. 106-09

[Requesting ~~California~~ Establishment of a Do Not Mail Registry]

Resolution urging both the California State Legislature and United States Congress to establish a Do Not Mail Registry.

WHEREAS, The amount of junk mail delivered in the United States each year has substantial environmental and social costs that can be significantly reduced by the creation of a Do Not Mail Registry; and,

WHEREAS, The production, distribution, and disposal of junk mail contributes to climate change by producing 51 million tons of greenhouse gas emissions- equivalent to that of 10 million automobiles - at a point when current environmental challenges demand significant and urgent reductions in our carbon footprint; and,

WHEREAS, The amount of paper required to produce the 105 billion pieces of junk mail distributed each year in the United States[1] requires the annual harvest of approximately 100 million trees[2] that, if left standing, would act as important carbon storehouses; and,

WHEREAS, approximately 44% of all unsolicited junk mail arrives in landfills unopened[3], thereby placing unnecessary stress on our waste disposal systems; and,

WHEREAS, Reducing junk mail will help meet San Francisco citywide goals of 75% landfill diversion by 2010 and zero waste by 2020; and,

WHEREAS, Junk mail is an invasion of privacy and has the potential to contribute to the ongoing problem of identity theft; and,

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[1] United States Postal Service (USPS). "The Household Diary Study: Mail Use & Attitudes in FY 2006." March 2007, pp. 1.
[2] Center for New American Dream calculation from Conservatree and U.S. Forest Service statistics.
[3] 41pounds.org: http://41pounds.org/impact/default.asp.

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WHEREAS, The requested Do Not Mail Registry would be modeled after the national Do Not Call Registry, which is the most popular consumer rights bill in history; and,

WHEREAS, 93% of likely voters and 89% of likely voters nationwide voiced support for a Do Not Mail Registry in a 2007 nation poll commissioned by Zogby International[4]; and,

WHEREAS, A multitude of states have previously proposed Do Not Mail bills including; Arkansas, Colorado, Connecticut, Hawaii, Illinois, Maryland, Michigan, Missouri, Montana, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Tennessee, Texas, Vermont, and Washington[5]; and,

WHEREAS, The success of statewide Do Not Mail registries will pave the way for an equivalent registry at the national level; and

WHEREAS, The most effective implementation of a Do Not Mail registry would be as an act of the United Stated Congress; now, therefore, be it

RESOLVED, That the City and County of San Francisco by and through its Board of Supervisors hereby urges the State of California to establish a Do Not Mail registry to provide persons of California with an effective, user-friendly system to voluntarily stop the receipt of unsolicited direct mail to their property; and, be it

FURTHER RESOLVED; That the City and County of San Francisco by and through its Board of Supervisors hereby urges the Congress of the United States to establish a Do Not Mail registry to provide its citizens and residents with an effective, user-friendly system to voluntarily stop the receipt of unsolicited direct mail to their property; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall forward a fully conformed copy of this resolution to San Francisco's state legislative delegation as well

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5 Direct Marketing Association, "State Do Not Mail Bills – 2007," available at: http://www.the-dma.org/donotmail/2007legislation.sthml, accessed October 7, 2008

as the President ~~Pro~~ pro Tem of the California Senate and Speaker of the California Assembly and, be it

FURTHER RESOLVED That the Clerk of the Board of Supervisors shall forward a fully conformed copy of this resolution to the Congressional Delegation representing San Francisco, namely, Hon. Nancy Pelosi, Speaker of the House of Representatives, Senator Dianne Feinstein, Senator Barbara Boxer and Congresswoman Jackie Speier.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081526 **Date Passed:**

Resolution urging both the California State Legislature and United States Congress to establish a Do Not Mail Registry.

December 9, 2008 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

December 16, 2008 Board of Supervisors — REFERRED: City Operations and Neighborhood Services Committee

Ayes: 6 - Alioto-Pier, Campos, Chu, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Daly, Elsbernd, Maxwell
Absent: 2 - Dufty, Sandoval

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 2 - Chu, Elsbernd

File No. 081526

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4-10-09

Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: April 10, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
081526

FILE NO. 090378 RESOLUTION NO. 107-09

[Resolution supporting SB 675]

Resolution supporting SB 675, the Clean Technology and Renewable Energy Job Training, Career Education and Dropout Prevention Act.

WHEREAS, California Senate President pro Tem Darrell Steinberg recently introduced SB 675; and

WHEREAS, SB 675 will invest $5 Billion in green job training in schools, community colleges, and more; and

WHEREAS, The proposed legislation will provide facilities and equipment to high schools, community colleges, and businesses in order to prepare students and trainees for green careers, and

WHEREAS, Thanks to the advocacy of groups like the Green Jobs Working Groups, a cross-sector alliance of labor, social justice, and environmental organizations including the California Apollo Alliance, Ella Baker Center, California Labor Federation, The Sierra Club, The National Resource Defense Council and the California State Building and Construction Trades Council, 20% of the $5 Billion investment for this program will benefit underrepresented and disadvantaged communities in California; and

WHEREAS, California suffers from too many high school dropouts, too little meaningful career technical education at the middle and high school levels, and lacks skilled workforce to fuel the emerging economy of clean technology and renewable energy; and

WHEREAS, California must lead the world in addressing both the problems of its youth and the opportunities created by the new green economy; and

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WHEREAS, According to SB 675, California's international leadership in renewable energy, energy conservation, clean technology, and climate change policy creates significant, but dramatically underfunded, opportunities to provide strategic capital investments in energy conservation, clean technologies and renewable energy; and

WHEREAS, These opportunities also include projects that contribute directly to workforce development and educational opportunities for high school pupils, young workers, community college students and graduates, youth who participate in community or state service organizations, college and university students and graduates, apprenticeship programs for building and construction trades and other technical and vocational careers, and training programs for unemployed, underemployed, or displaced workers and high school dropouts; and

WHEREAS, SB 375 ensures that California has an opportunity to combine the education and training of both its future college-education workforce, the underemployment of recent high school graduates, and its highly skilled technical workforce with its effort to combat high school dropouts and the retraining of workers who have been displaced by the loss of high-wage jobs in California; and

WHEREAS, Clean technology and renewable energy jobs (green collar jobs) can provide undeserved communities with a pathway out of poverty, a new and inspiring focus for educational institutions and nonprofit organizations, and significant statewide economic and environmental benefits; and

WHEREAS, Investments in renewable energy, energy conservation, clean technologies, climate change mitigation, and investments that develop the workforce for these industries will provide multiple benefits to California by: helping to achieve the state's climate change goals, creating employment opportunities for Californians that would otherwise not be fully realized, creating opportunities for new businesses, and expanding and retrofitting

existing businesses, expanding the state's utilization of renewable energy, and contributing to the growth of clean technology businesses in California; and

WHEREAS, SB 675 establishes a special fund in the state treasury, available for appropriation by the Legislature, to invest in career technical education that delivers the skills and knowledge necessary for successful employment in clean technology, renewable energy or energy efficiency; and

WHEREAS, Funds will come from the Energy Commission's Public Interest Energy Research Fund and be used to secure an unspecified amount in bonds to finance a competitive grant program; and

WHEREAS, This bill will also create the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Council which shall be comprised of nine members from a variety of environmental, educational, labor and workforce development backgrounds; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urge the California State Senate to pass SB 675 to advance the State of California's green future; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors send a copy of this resolution to the California State Senate.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090378 **Date Passed:**

Resolution supporting Senate Bill 675, the Clean Technology and Renewable Energy Job Training, Career Education and Dropout Prevention Act.

March 31, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090378

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090375 RESOLUTION NO. 108-09

[Resolution supporting AB 1000 paid sick day legislation.]

Resolution declaring support of AB 1000 (Ma) that would provide California workers with earned paid sick days.

WHEREAS, In 2006, San Francisco voters passed Proposition F, the first such legislation in the nation, that provides all workers in the city with the ability to earn and use paid sick days; and

WHEREAS, Assembly Bill 1000, on file with the Clerk of the Board of Supervisors in File No. 090375, which is hereby declared to be a part of this resolution as if set forth fully herein; the Healthy Workplaces, Healthy Families Act of 2009, by Assembly Member Fiona Ma allows all California workers to earn and use paid sick days for personal illness, to care for a sick family member and to recover from domestic violence or sexual assault; and

WHEREAS, 6 million working Californians- 40% of all workers in California- do not have any paid sick days through their employer; and

WHEREAS, the lack of paid sick days is a public health concern, and harms children and families and workers who have no paid sick days are forced to make an impossible choice when they or their children become ill; and

WHEREAS, many workers who show up to work sick handle our food at restaurants and take care of our children at daycare centers, thereby spreading germs to co-workers and to the public; and

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WHEREAS, parents who have no paid sick days either have to lose a day's pay or send their children to school sick putting other children at risk; and

WHEREAS, AB 1000 allows workers to earn paid sick days, which they can use for personal illness, to care for a sick family member and to recover from domestic violence or assault; and now, therefore be it

RESOLVED, that by the adoption of this Resolution, the City of San Francisco hereby declares SUPPORT of AB 1000 (Ma) that would provide California workers with earned paid sick days.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090375 **Date Passed:**

Resolution declaring support of Assembly Bill 1000 (Ma) that would provide California workers with earned paid sick days.

March 31, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090375

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090182 RESOLUTION NO. 109-09

[Federal Economic Recovery Support for Balboa Park Station Area Plan]

Resolution urging city departments to set the Balboa Park Station Area Plan as an identified priority when seeking Federal Economic Stimulus funding, and to work with San Francisco's Congressional delegation to ensure, to the extent possible, that Federal Economic Recovery legislation includes funding for the Balboa Park Station Area Plan.

WHEREAS, The Balboa Park Station Area Plan is a comprehensive vision for the redevelopment and revitalization of the Balboa Park area and the surrounding 210 acres, and promotes transit and bicycle use, creates pedestrian friendly environments, strengthens neighborhood-serving areas, provides open spaces, and increases supply and variety of housing for residents; and,

WHEREAS, The Balboa Park Station Area Plan is a multi-agency effort, including the work of, but not limited to, the Planning Department, the Municipal Transportation Agency, the Office of Economic and Workforce Development, Bay Area Rapid Transit, the San Francisco Public Utilities Commission, San Francisco City College, and the San Francisco County Transportation Authority; and,

WHEREAS, The current Federal Economic Recovery legislation moving through Congressional approval is designed to fuel the economy and stimulate job growth, by investing in sustainable, energy-saving infrastructure; and

WHEREAS, Priorities and criteria for eligibility for federal economic stimulus funding should include programs that will create immediate jobs, improve infrastructure that benefits the public and private sector, help small businesses succeed, and create lasting economic and environmental benefits; and,

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WHEREAS, The Balboa Park Station Area Plan includes elements that are central to the goals of the federal economic recovery package, such as long-term job creation, including 225 jobs in construction, one of the industries suffering the greatest job loss in the Bay Area; lasting improvements to critical transit infrastructure; investment and stimulation of commercial corridors in our neighborhoods; and ongoing economic and environmental benefits, including much needed housing; and,

WHEREAS, Our current fiscal crisis is exactly the right time to support and ensure the success of long-term projects such as the Balboa Park Station Area Plan that can have immediate and lasting benefits for working families, local businesses, and the weakened economy; now, therefore, be it

RESOLVED, The San Francisco Board of Supervisors urges the departments and local agencies that are involved in the Balboa Park Station Area Plan, to set the Balboa Park Station Area Plan as an identified priority, when applying for Federal Economic Stimulus funding; and, be it

FURTHER RESOLVED, That we encourage these same departments and agencies to collaborate with our Congressional representatives to ensure to the extent possible that Balboa Park Station Area Plan projects are included in recommendations for federal economic stimulus funding.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090182 **Date Passed:**

Resolution urging city departments to set the Balboa Park Station Area Plan as an identified priority when seeking Federal Economic Stimulus funding, and to work with San Francisco's Congressional delegation to ensure, to the extent possible, that Federal Economic Recovery legislation includes funding for the Balboa Park Station Area Plan.

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090182

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090262 RESOLUTION NO. 110-09

[Lease of Real Property at 520 Jones Street]

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Pacific Bay Inn, Inc., as Landlord, for the Pacific Bay Inn located at 520 Jones Street, San Francisco.

WHEREAS, The Department of Public Health has created a "Direct Access to Housing" program, which is designed to secure supportive housing for chronically homeless San Francisco residents by having the City master lease privately owned buildings and then sublease residential units in those buildings to individuals who are chronically homeless. The target population for Direct Access to Housing includes people who having been chronically homeless and struggling with complex medical and behavioral health conditions including people who have been living on the street and/or revolving through the City's high cost institutional settings; and,

WHEREAS, The Pacific Bay Inn located at 520 Jones Street, owned by Pacific Bay Inn, Inc. ("Landlord") presents an opportunity to provide clean and stable housing for approximately 75 individuals who have a history of homelessness and may have a disability related to mental health, HIV/AIDS, and/or substance abuse; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of Health and the Director of Property, that the Director of Property on behalf of the City and County of San Francisco, as Tenant, be and is hereby authorized to execute a Master Lease with Landlord for the entire premises, excepting the commercial space, located at 520 Jones Street, San Francisco, California, consisting of 75 residential units, office space, storage space and basement comprising an area of approximately 36,264 square feet; and, be it

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FURTHER RESOLVED, That the term of this Lease shall begin upon execution and delivery of the lease estimated to be on May 1, 2009 and continue for a ten (10) year period and the City shall have the right to extend the Initial Term for two additional ten (10) year terms subject to the terms and conditions further described in the lease; and, be it

FURTHER RESOLVED, That the base rent under the Lease shall be $550 per residential unit per month, or a total of $46,200 per month for the residential units. The total rent for the premises being $46,200 per month for the first twelve months with annual rent increases based on the Consumer Price Index (CPI) for the San Francisco area and to be not less than two percent (2%), nor more than six percent (6%). Rent shall be payable unless funds for rental payments are not appropriated in any subsequent City fiscal year, at which time the City may terminate the Lease with advance notice to the Landlord; and, be it

FURTHER RESOLVED, That the Master Lease includes a clause approved by the City Attorney indemnifying and holding harmless the Landlord from, and agreeing to defend the Landlord against, any and all claims, costs and expenses, including without limitation, reasonable attorney's fees, incurred as a result of City's use of the premises, any default by the City in the performance of any of its obligations under the Master Lease, or any acts or omissions of City, its agents or its subtenants in, on or about the premises or the property on which the premises are located; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes Director of Property to enter into any additions, amendments or other modifications to the Master Lease (including, without limitation, the exhibits) that the Director of Property determines, in consultation with the Department of Public Health and the City Attorney, are in the best interests of the City, do not materially increase the obligations or liabilities of the City, and are necessary or advisable to complete the transaction contemplated in the Lease and effectuate the purpose and intent

of this resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any amendments thereto.

RECOMMENDED:

AVAILABLE: $92,400
Index Code: HCHSHHOUSGGF

Mitchell H. Katz, M.D.
Director of Health
Department of Public Health

Amy L. Brown
Director of Property

for Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090262 **Date Passed:**

Resolution authorizing and approving the lease by and between the City and County of San Francisco, for the Department of Public Health, as Tenant, and Pacific Bay Inn, Inc., as Landlord, for the Pacific Bay Inn located at 520 Jones Street, San Francisco.

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090262

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

[Urging the Board of Supervisors to endorse and support the event "SF Youth Unity" a youth environmental summit and green block party]

4/1 B3

Resolution ~~urging~~ endorsing and supporting the Board of Supervisors to endorse and support the event "SF Youth Unity" a youth environmental summit and green block party.

WHEREAS, The mission of the Youth Environmental Summit and Green Block Party is to create a venue for San Francisco youth to learn about the issues of climate change and environmental justice, and learn steps and solutions that have been enacted from the local to international level; and

WHEREAS, The summit will provide an opportunity for youth to network and create alliances for future collaborations to strengthen the youth environmental movement; and

WHEREAS, The summit will provide insight and education on the green movement in a culturally and age-appropriate manner and publicize city and community efforts to combat environmental challenges; and

WHEREAS, There will be a resource fair component to connect youth to green jobs and environmental summer opportunities; and

WHEREAS, The planning of the event seeks meaningful youth input by convening a Youth Planning Committee; and

WHEREAS, The Youth Commission, Global Exchange, the Environmental Service Learning Initiative, Community-Based Environmental Organizations, City Departments, and the Mayor are collaborating to create this event, an endorsement from the Board of Supervisors is an opportunity for the city to provide non-partisan support in a time of transition; therefore, be it

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RESOLVED, That the San Francisco Youth Commission endorses and supports the Youth Environmental Summit; and, be it

FURTHER RESOLVED, That the San Francisco Youth Commission ~~urges~~ endorsing and supporting the Board of Supervisors to endorse and support the event "SF Youth Unity: a Youth Environmental Summit and Green Block Party."

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090377 **Date Passed:**

Resolution endorsing and supporting the event "SF Youth Unity," a youth environmental summit and green block party.

March 31, 2009 Board of Supervisors — AMENDED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

March 31, 2009 Board of Supervisors — ADOPTED AS AMENDED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090377

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090282 RESOLUTION NO. 112-09

[Accept-Expend Federal Grant Funds.]

Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of $1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program.

WHEREAS, The Consolidated Appropriations Act of 2008 (Public Law 110-161) earmarked funds from the Edward Byrne Memorial Discretionary Grants Program to help local communities improve the capacity of local justice systems and provide for national support efforts; and

WHEREAS, The Act identified projects to be reviewed by the U.S. Department of Justice (USDOJ) Office of Justice Programs' Bureau of Justice Assistance (BJA) for consistency with law and Congressional intent; and

WHEREAS, The City and County of San Francisco was awarded a grant in the amount of $1,475,675 for the Forensic Sciences Center project which aims to consolidate and re-locate the Office of Chief Medical Examiner (OCME) and the San Francisco Police Department Forensic Services Division (SFPD FSD); and

WHEREAS, The SFPD FSD and OCME relocation project was included in the 10 year capital plan approved by the Board of Supervisors on April 15, 2008, File No. 080333; and

WHEREAS, The Edward Byrne Memorial Discretionary Grant will provide funds for the planning and design of the new Forensic Sciences Center; and

WHEREAS, The grant award period began on August 1, 2008 and expenditures after this date are eligible for reimbursement; and

WHEREAS, The grant does not require an ASO amendment; and,

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WHEREAS, The grant terms prohibit the inclusion of indirect costs in the grant budget; now, therefore be it

RESOLVED, That this Board of Supervisors authorizes the Director of Public Works or his or her designee to retroactively accept and expend these grant funds and any continued funding for this project from the USDOJ, BJA; and be it

FURTHER RESOLVED, That the Director of Public Works is authorized to execute on behalf of the City and County of San Francisco the necessary Grant Agreement for this project including any extensions, funding augmentations from the USDOJ/BJA, or amendments thereof; and be it

FURTHER RESOLVED, That it is agreed that any liability arising out of performance of this Grant Agreement, including civil court actions for damages, shall be the responsibility of the authorizing agency; and be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditure controlled by the Board of Supervisors.

Recommended:

Edward Reiskin
Director of Public Works

Approved:

Mayor

for Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090282 **Date Passed:**

Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of $1,475,675 from the U.S. Department of Justice, Bureau of Justice Assistance Edward Byrne Memorial Discretionary Grants Program.

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090282

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

[National Start! Walking Day]

Resolution proclaiming April 8, 2009 as "National Start! Walking Day" in San Francisco.

WHEREAS, Cardiovascular diseases, including heart disease and stroke, are the nation's leading cause of death and disability, with 1/26 million Americans suffering a new or recurrent coronary attack each year and 795,000 suffering a new and recurrent stroke; and,

WHEREAS, Direct and indirect costs of cardiovascular disease, including lost productivity, are estimated to be $475.3 billion in 2009, and,

WHEREAS, Regular physical activity reduces cardiovascular disease risk and increases life expectancy; and,

WHEREAS, The 2008 Physical Activity Guidelines for Americans and the AHA recognize the many health benefits of physical activity, including lower risk of heart disease and stroke, and recommend that children and adolescents do one hour of physical activity each week; and,

WHEREAS, Regular walking has many proven benefits for an individual's overall health. Brisk walking for at least 30 minutes a day can lower both bad cholesterol (LDL) levels and high blood pressure. It can also help individuals who are overweight achieve and maintain weight loss, and reduce their risk of stroke; and,

WHEREAS, If ten percent of Americans began a regular walking program, $5.6 billion in heart disease costs would be saved; and,

WHEREAS, Studies indicate that one of the best investments a company can make is in the health of its employees. By promoting a culture of physical activity, corporate America can decrease healthcare costs, increase productivity, and improve the quality of life and longevity of the US workforce; and,

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WHEREAS, On National Start! Walking Day, April 8th, the American Heart Association's Start! Movement calls on everyone to wear sneakers and Start! Walking; and,

WHEREAS, The purpose behind National Start! Walking Day is to get Americans to become more physically active by walking; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby proclaims April 8, 2009 as "National Start! Walking Day" in San Francisco to encourage walking and support the fight against heart disease.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090374 **Date Passed:**

Resolution proclaiming April 8, 2009, as "National Start! Walking Day" in San Francisco.

March 31, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090374

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090376 RESOLUTION NO. 114-09

[Accept-Expend Grant – Juvenile Probation Department]

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $25,000 from the Annie E. Casey Foundation for continuing support of the juvenile justice reform activities at the Juvenile Probation Department.

WHEREAS, The Annie E. Casey Foundation has supported San Francisco's efforts to implement the Juvenile Detention Alternatives Initiative (JDAI) Core Principles; and,

WHEREAS, The City and County of San Francisco deems it essential to continue the process of Juvenile Justice Reform; and,

WHEREAS, A portion of the grant funds will support one existing 1842 Management Assistant position (1.00 FTE) that is currently reflected in the ASO ; and,

WHEREAS, The Juvenile Probation Department has been selected to receive an unconditional, unrestricted grant in the amount of $25,000 from the Annie E. Casey Foundation; now, therefore, be it

RESOLVED, That the Juvenile Probation Department of the City and County of San Francisco is authorized to enter into the attached grant award agreement on behalf of the City; and be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That William P. Siffermann, Chief Probation Officer of the San Francisco Juvenile Probation Department be authorized to accept and expend $25,000 of the grant funds for the benefit of the San Francisco Juvenile Probation Department; and be it

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FURTHER RESOLVED, That the City and County of San Francisco will adhere to the requirements of the Annie E. Casey Foundation and all conditions specified in the grant agreement.

Recommended:

Department Head

Approved:

Mayor

Approved:

for Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090376 **Date Passed:**

Resolution authorizing the Juvenile Probation Department to accept and expend a grant in the amount of $25,000 from the Annie E. Casey Foundation for continuing support of the juvenile justice reform activities at the Juvenile Probation Department.

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090376

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090198 RESOLUTION NO. 115-09

[Accept-Expend Federal Grant Funds.]

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $297,030 from the Federal Emergency Management Agency (FEMA) to develop and implement an Advanced Driver Training Program for its uniformed employees.

WHEREAS, The San Francisco Fire Department (SFFD) uniformed employees respond to approximately 100,000 incidents per year; and,

WHEREAS, Responding in a timely and safe manner is critical to saving lives and minimizing property loss; and,

WHEREAS, The SFFD uniformed employees provide service for approximately 798,680 San Francisco residents within a response area of 47.5 miles, where the registered vehicle density was 9,914 vehicles per square mile in 2006. The population grows to roughly 1.2 million people on weekdays, bringing approximately 35,400 additional vehicles onto City streets; and,

WHEREAS, On any given day SFFD apparatus, consisting of 42 engine companies, 19 truck companies, 26 ambulances, two rescue squads and specialized units for Hazmat, Special Operations and Cliff/Surf Rescue, can travel along 1,088 miles of roadway including one-way streets, dead ends, narrow alleyways and streets with an incline as great as 31.5%. There are approximately 7,200 intersections within the SFFD's response area, with only 1,148 of those intersections having signals; and,

WHEREAS, As a result of the City's challenging topography, dense population, and automobile, bicycle and pedestrian traffic, the SFFD has experienced financial losses due to

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accidents involving responding emergency vehicles, as well as employee lost time and direct medical costs; and,

WHEREAS, The SFFD offers a 40-hour Emergency Vehicle Operator Course (EVOC) for its newly hired uniformed personnel during the recruit-training program, but has not been able to provide any routine, on-going driver training, competency testing or defensive driver training for employees who have passed probation; and,

WHEREAS, The SFFD applied for and was awarded a FEMA grant in the amount of $297,030 to develop and implement an Advanced Driver Training Program using a driving simulator. The SFFD believes such a Training Program will complement and enhance hands-on vehicle operation by providing simulated but realistic fire and EMS driving experiences and training for appropriate driver reactions to potentially dangerous traffic situations and roadway conditions, and that the training will increase the interoperability of all responding units and provide for better control of intersections during Code 3 calls; and,

WHEREAS, The grant requires the City to provide matching funds of 20 percent, or $74,257, and the SFFD has identified those funds in its current budget; and,

WHEREAS, The grant requires to the City to expend the grant funds by no later than November 25, 2009, unless the SFFD applies for and FEMA approves an extension of the grant period; and,

WHEREAS, The SFFD proposes to maximize the use of the grant funds on program expenditures by not including indirect costs in the grant budget; and,

WHEREAS, The grant does not require any amendment to the Annual Salary Ordinance; and,

WHEREAS, The Fire Commission recommended approval of this grant at its meeting on January 22, 2009; now, therefore, be it

RESOLVED, That the Board of Supervisors authorizes the SFFD to retroactively accept and expend grant funds in the amount of $297,030 from FEMA; and, be it

FURTHER RESOLVED, That the funds received must be expended no later than November 25, 2009, unless an extension is granted by FEMA; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Chief of the San Francisco Fire Department is hereby authorized and empowered to execute, deliver, and perform, in the name of the City and County of San Francisco, all applications, contracts, agreements, amendments, and payment requests necessary to secure the FEMA grant funds and implement the purposes specified in the grant application.

Recommended:

Joanne M. Hayes-White
Chief of Department
02/09/09

Approved:

Gavin Newsom
Mayor

for Benjamin Rosenfield
Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090198 **Date Passed:**

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $297,030 from the Federal Emergency Management Agency (FEMA) to develop and implement an Advanced Driver Training Program for its uniformed employees.

March 31, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090198

I hereby certify that the foregoing Resolution was ADOPTED on March 31, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090324 RESOLUTION NO. 116-09

[Accept-Expend U.S. Transportation Security Administration Grant]

Resolution authorizing the Airport to retroactively negotiate and execute an Other Transaction Agreement from the Transportation Security Administration for the Terminal 2 In-Line Explosives Detection System Matrix in the amount not-to-exceed Fifteen Million Eight Hundred Thousand Dollars ($15,800,000) and accept and expend federal funds.

WHEREAS, the United States Congress passed the Federal Aviation and Transportation Security Act, which requires all checked baggage to be screened for explosives; and,

WHEREAS, the Congress has allocated funds for the Transportation Security Administration (TSA) to partially reimburse Airports for the cost of In-line Explosives Detection Systems (EDS) Matrixes; and,

WHEREAS, the TSA notified the Airport on March 5, 2009 that the Terminal 2 100% In-line EDS Matrix is being considered for funding execution under the American Recovery and Reinvestment Act of 2009; and,

WHEREAS, the Airport proposes to negotiate and execute an Other Transaction Agreement with TSA to set forth the terms and conditions by which the TSA will reimburse the Airport for 90% of the estimated cost of the Terminal 2 in-line EDS Matrix, in an amount not to exceed $15,800,000; and,

WHEREAS, the Airport proposes to transfer ownership of four (4) CTX 9000 EDS machines that are no longer operational and can only be legally used by the Transportation Security Administration; and,

WHEREAS, this agreement does not require an Annual Salary Ordinance (ASO) amendment; and,

WHEREAS, the Board of Supervisors hereby waives inclusion of indirect costs in the project

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budget; now, therefore be it

RESOLVED, That the San Francisco Board of Supervisors authorizes the Airport to retroactively negotiate and execute an Other Transaction Agreement with the Transportation Security Administration for partial reimbursement of the Terminal 2 100% In-Line Explosives Detection System Matrix in an amount not to exceed $15,800,000 and to accept and expend federal funds.

Recommended:

Department Head

Approved: Nanda Colvin for Mayor

Approved: for Controller

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Resolution

File Number: 090324 **Date Passed:**

Resolution authorizing the Airport to retroactively negotiate and execute an Other Transaction Agreement from the Transportation Security Administration for the Terminal 2 In-Line Explosives Detection System Matrix, in the amount not to exceed $15,800,000, and accept and expend Federal funds.

March 31, 2009 Board of Supervisors — SUBSTITUTED

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090324

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090337 RESOLUTION NO. 117-09

[Library Fee Amnesty Program]

Resolution authorizing the Library Commission to establish a fee amnesty program for overdue Library materials to take place during a two-week period in May 2009, pursuant to Section 8.21-3 of the San Francisco Administrative Code.

WHEREAS, In April 2001, the Board of Supervisors adopted Ordinance No. 64-01, adding Section 8.21-3 to the San Francisco Administrative Code, authorizing the Library Commission to establish a Library fee amnesty program excusing persons who return all overdue Library materials on their Library account from having to pay any late fees to take place during a two-week period in 2001; and

WHEREAS, Section 8.21-3 provides that the Board of Supervisors may, by resolution, authorize the Library Commission to establish subsequent fee amnesty programs for overdue Library materials under the same terms and conditions set forth in Section 8.21-3; and

WHEREAS, There has not been another Library fee amnesty period since 2001; and

WHEREAS, At its publicly noticed hearing of March 5, 2009, the Library Commission found that establishing a two-week fee amnesty program in the Spring of 2009 is likely to promote the return of needed Library materials or promote the increased use of the Library. This finding is set forth in a resolution on file with the Clerk of the Board of Supervisors in File No. 090337, which is hereby declared to be a part of this motion as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the Library Commission to establish a Library fee amnesty program for waiver of late fees for overdue Library materials to take place during the two week period of May 3 through May 16, 2009, consistent with the standards set forth in Section 8.21-3 of the Administrative Code.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090337 **Date Passed:**

Resolution authorizing the Library Commission to establish a fee amnesty program for overdue Library materials to take place during a two-week period in May 2009, pursuant to Section 8.21-3 of the San Francisco Administrative Code.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090337

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090373 RESOLUTION NO. 118-09

[Supporting California State Assembly Bill 700, the Creative Industries and Community Revitalization Act.]

Resolution supporting California State Assembly Bill 700, the Creative Industries and Community Revitalization Act; supporting creation of the Creative Industries and Community Economic Revitalization Fund; and urging passage of Assembly Bill 700 in the current legislative session.

WHEREAS, The January 2009 "Creative Industries Report" compiled by the Americans for the Arts found that creative industry businesses provide the essential fuel that drives the 21st Century economy; and

WHEREAS, California, home to 110,840 arts-related businesses, institutions, and organizations that employ 438,912 people, ranks first in the nation with more arts related businesses and more people employed in the creative industries than any other state in the nation; and,

WHEREAS, California's nonprofit arts organizations generate nearly $300 million in state and local taxes annually; and

WHEREAS, According to the California Arts Council's April 2004 report titled "The Arts: A Competitive Advantage for California," California's nonprofit arts organizations attract an audience of 71.2 million annually and generate a $5.4 billion impact on California's economy, including the creation of 66,300 full-time and 95,100 part-time jobs; and

WHEREAS, According to the National Governors Association 2009 report "Using Arts & Culture to Simulate State Economic Stability," Governors increasingly recognize the importance of the creative sector to their states' economy and ability to compete in the global marketplace, and tourism centered and arts and culture can contribute to state and local

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economic growth by providing a diversified and sustainable means for creating jobs and attracting revenue; and

WHEREAS, The National Conference of Mayors' 10 Point Plan states that the arts, humanities, and museums are critical to the quality of life and livability of America's cities and that governments which support the arts on average see a return on investment of more than $7 for every $1 that the government appropriates in these areas; and

WHEREAS, Nonprofit arts organizations contribute to California's ranking as the most visited state in the nation and are a primary reason for visiting California for six million of the state's 44 million annual out-of-state tourists; and

WHEREAS, A 2002 book entitled "The Rise of the Creative Class," by Richard Florida concludes that today's economy is shifting from an information economy to an economy powered by human creativity, and that the core of the creative class in the United States, which is 38 million workers strong, is architects, artists, designers, educators, engineers, entertainers, and scientists whose economic function is to create new ideas, new technology, and new content; and

WHEREAS, California, the world's eighth largest economy, has been last among the 50 states in per capita state investment in the arts and culture since 2003, providing little more than $1 million from the General Fund; and

WHEREAS, The City and County of San Francisco supports the nonprofit arts community and individual artists in a variety of ways, including Grants for the Arts/Hotel Tax Fund, the San Francisco Arts Commission, Cultural Equity Grants, and other programs totaling more than $40 million each year, representing a greater investment per capita than any other city in the nation and, according to the most recent study from Americans for the Arts, generating some 28,000 jobs and over $1 Billion in economic activity for the City of San Francisco; and

WHEREAS, Assemblymember Paul Krekorian has sponsored Assembly Bill 700 that would direct 20% of sales and use tax revenues levied on arts-related purchase to the Creative Industries and Community Economic Revitalization Fund to invest in the economic revitalization of California's communities by encouraging joint partnerships to enhance investment of public resources and to enable the growth of the creative economy throughout California; and

WHEREAS, Assembly Bill 700 would establish the Creative Industries and Community Economic Revitalization Act of 2010, which would create in the State Treasury, the Creative Industries and Community Economic Revitalization Fund; now, therefore, be it

RESOLVED, That the City and County of San Francisco supports Assembly Bill 700 which is being considered in Sacramento in this legislative cycle; and, be it

FURTHER RESOLVED, That the City and County of San Francisco supports California creating the Creative Industries and Community Economic Revitalization Fund that would be administered by the California Arts Council for local assistance program grants for the nonprofit arts organizations; and, be it

FURTHER RESOLVED, That the City and County of San Francisco urges the California State Legislature to pass and the Governor to enact Assembly Bill 700 in the current legislative session.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090373 **Date Passed:**

Resolution supporting Assembly Bill 700, the Creative Industries and Community Revitalization Act; supporting creation of the Creative Industries and Community Economic Revitalization Fund; and urging passage of Assembly Bill 700 in the current legislative session.

March 31, 2009 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

File No. 090373

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09

Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: April 17, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

for

Clerk of the Board

File No.
090373

[Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "San Francisco Kindergarten Admissions: Back to the Drawing Board"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "San Francisco Kindergarten Admissions: Back to the Drawing Board."

WHEREAS, Under California Penal Code Section 933 et seq., the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on the findings and recommendations contained in Civil Grand Jury Reports; and

WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a county agency or a department headed by an elected officer, the agency or department head and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the response of the Board of Supervisors shall address only budgetary or personnel matters over which it has some decision making authority; and

WHEREAS, The 2007-2008 Civil Grand Jury Report entitled "San Francisco Kindergarten Admissions: Back to the Drawing Board" is on file with the Clerk of the Board of Supervisors in File No. 080926, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond to both Findings and Recommendations Nos. 9 and 10 contained in the subject Civil Grand Jury report; and

WHEREAS, Finding No. 9 states: "Some members of the Board of Education appear to have student diversity as their first priority for the District;" and

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WHEREAS, Recommendation No. 9 states: "During the Grand Jury's inquiry the recurring theme from parents, teachers, principals, leaders of support groups and school officials alike was the need to create good schools system wide. This would provide the equity that all students deserve and these leaders seek. The Jury heard that student diversity is desirable, but not as important as quality schools for all, whatever the setting. With a new Superintendent and two new Board of Education members to be elected in the fall joining three recently elected members, now is the time to refocus on creating quality schools throughout the District;" and

WHEREAS, Finding No. 10 states: "The District needs to make crucial decisions about surplus school property, updating 30 year old and now obsolete school attendance zones, and establishing policy to guide decisions to shut failed schools. Voters faced with future requests for funding from the District will react favorably to the District's efforts to streamline their property management activities and to convert these non-performing assets into resources that support District educational activities;" and

WHEREAS, Recommendation No. 10 states: "Practice better resource management as an example of prudent stewardship, particularly now in the facing of funding cuts. By year-end 2008 the City should devise a plan for reducing the number of under utilized properties and failing schools;" and

WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on both Findings and Recommendations Nos. 9 and 10 contained in the subject Civil Grand Jury report; now, therefore, be it

RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the Superior Court that it disagrees wholly or partially with both Finding and Recommendation No. 9. That is, except for the assertion of one elementary school principal, the subject Civil Grand

Jury report provides no factual support for Finding and Recommendation No. 9. Indeed, on May 27, 2008, the San Francisco Board of Education adopted a new Strategic Plan entitled "Beyond the Talk: Taking Action to Educate Every Child Now" that outlines the District's priorities. This plan is organized into three initiatives: (1) Performance Management Initiative (to increase the personal and professional capacity of all District employees); (2) Equity Centered-Professional Learning Initiative (to create and sustain professional learning communities); and (3) 21st Century Curriculum Initiative (to provide classroom instruction that is personalized, relevant, meaningful and engaging for each student). The Strategic Plan does not identify diversity as the first priority of the District; and, be it

FURTHER RESOLVED, the Board of Supervisors reports to the Presiding Judge of the Superior Court that regarding both Finding and Recommendation No. 10, the San Francisco Unified School District ("SFUSD") is a state agency that is governed by the San Francisco Board of Education. The City and County of San Francisco does not have jurisdiction over SFUSD facilities or programs. In addition, it is important to note that the Board of Education has already taken steps to determine the best uses of surplus property and to guide school closures. On May 22, 2005, the Board adopted Resolution 53-22SM1 "School Consolidation Policy;" on August 23, 2005, it adopted Resolution 56-14A9 "Feasibility of Selling, Leasing or Subleasing Surplus Real Property;" and, on May 13, 2007, it adopted Resolution 71-23Sp2 "Establishing a District Policy for General Public Notification Regarding Changes in Uses of District-Owned Properties;" and, be it

FURTHER RESOLVED, Pursuant to Penal Code Section 933.05(c), the Board of Supervisors responds to the findings and recommendations to which it agrees by hereby urging the SFUSD to cause the implementation of accepted findings and recommendations.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081093 **Date Passed:**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "San Francisco Kindergarten Admissions: Back to the Drawing Board."

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 081093

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09

Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: April 17, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
081093

FILE NO. 090410 RESOLUTION NO. 120-09

[Employee Free Choice Act]

Resolution affirming support for House Resolution 1409, the Employee Free Choice Act, and urging the United States Congress to pass the Employee Free Choice Act and protect and preserve, for America's workers, the freedom to choose for themselves whether and how to form a union to bargain for a better life.

WHEREAS, Working families are struggling to make ends meet, while facing job loss, stagnant wages, disappearing health care, and retirement benefit cuts that are so severe that America's middle class is threatened; and

WHEREAS, The free choice to join with others and bargain for better benefits and fair wages is essential to restoring America's economy; and

WHEREAS, Union Workers are 52 percent more likely to have job-provided health coverage and nearly three times more likely to have guaranteed defined-benefit pensions than nonunion workers; and

WHEREAS, Unions help raise workers' pay and narrow the income gap for minorities and women, by increasing median weekly earnings by 32 percent for union women workers, 28 percent for African American workers, 43 percent for Latino workers and six percent for Asian American workers; and

WHEREAS, Companies often refuse to bargain fairly after workers form a union by dragging out first-contract bargaining for up to two years in 44 percent of successful campaigns; and

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WHEREAS, When the right of workers to form a union is violated, wages fall, race and gender pay gaps widen, workplace discrimination increases, and job safety standards disappear; and

WHEREAS, 78 percent of the public believes it is important to have strong laws protecting the freedom of workers to make their own decision about having a union, and 53 percent of workers would join a union if they had the chance; and

WHEREAS, A worker's fundamental right to choose a union free from coercion and intimidation is a public issue that requires public policy solutions, including legislative remedies; and

WHEREAS, Unions benefit communities by strengthening living standards, stabilizing tax bases, promoting equal treatment, and enhancing civic participation; and

WHEREAS, States in which more people are union members are states with higher wages, better benefits, and better schools; and

WHEREAS, In 1935, the United States established, by law, that workers must be free to form unions; and

WHEREAS, The freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of Human Rights as a fundamental human right; and

WHEREAS, The Employee Free Choice Act received majority support in both house of Congress in 2007, but was blocked by a minority of Senators; and

WHEREAS, Congressman George Miller reintroduced the Employee Free Choice Act in March of 2009 as House Resolution 1409; and

WHEREAS, The Employee Free Choice Act will safeguard workers' ability to make their own decisions about forming a union, provide for first contract mediation and arbitration, and establish meaningful penalties when employers violate workers' rights; and

WHEREAS, The Employee Free Choice Act would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily signs authorizations designating that union to represent them; provide for first contract mediation and arbitration; and establish meaningful penalties for violations of a worker's freedom to choose a union; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports House Resolution 1409, the Employee Free Choice Act, to protect and preserve, for America's workers, the freedom to choose for themselves whether and how to form a union to bargain for a better life; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the United States Congress to pass the Employee Free Choice Act.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090410 **Date Passed:**

Resolution affirming support for House Resolution 1409, the Employee Free Choice Act, and urging the United States Congress to pass the Employee Free Choice Act and protect and preserve, for America's workers, the freedom to choose for themselves whether and how to form a union to bargain for a better life.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090410

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090408 RESOLUTION NO. 121-09

[Supporting The Clean Air for Children, Seniors, and Working Families Act]

Resolution urging the City and County of San Francisco to support Assembly Bill 622, The Clean Air for Children, Seniors, and Working Families Act.

WHEREAS, The Board of Supervisors of the City and County of San Francisco is deeply concerned about the public health and safety risks posed by aerial spraying; and

WHEREAS, Aerial pesticide spraying is an outdated, inefficient practice that poses unacceptable exposure and risks; and

WHEREAS, Multiple scientific and other sources including the U.S. Office of Technology Assessment estimate that about 40 percent of an aerial pesticide application leaves the "target area" and that less than 1 percent actually reaches the "target pest"; and

WHEREAS, Airborne pesticide exposure is responsible for acute poisonings and for chronic illnesses including asthma, cancer, neurological disorders, birth defects, miscarriages, and other reproductive effects; and

WHEREAS, Children, the elderly, pregnant women and those with compromised immune systems and chronic illness, are more vulnerable to the adverse health effects of pesticide exposure; and

WHEREAS, The U.S. Environmental Protection Agency emphasizes that children are at a greater risk for some pesticides, as their internal organs are still developing and maturing, and their immune systems may provide less natural protection than those of adults; and

WHEREAS, The elderly and those already ill are especially susceptible to adverse effects from pesticide exposure because of the extra vulnerability of their respiratory systems and lower immune function; and

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WHEREAS, The California Department of Pesticide Regulation annual reports of the numbers of people poisoned by aerial pesticide spray exposure does not account for the long-term effects of pesticide exposure, such as cancer and birth defects; and

WHEREAS, The City of San Francisco and the greater Bay Area were among those targeted for blanket aerial pesticide spray for the Light Brown Apple Moth in 2008; and

WHEREAS, The City of San Francisco and the greater Bay Area contain numerous sites where sensitive populations congregate, including schools, hospitals, day care centers, senior citizen centers and residential care homes; and

WHEREAS, The City of San Francisco and the greater Bay Area opposes food production practices that put the residents of any area at risk of aerial pesticide exposure; and

WHEREAS, Assembly Bill 622, the Clean Air for Children, Seniors, and Working Families Act, would establish a safety zone of no less than three and three tenths miles from the aerial application of pesticides around school, hospitals, day care centers, senior citizen centers, residential care homes and farm labor camps so that people in those areas can live, work, go to school without fear of pesticide exposure; now, therefore, be it

RESOLVED, That the City and County of San Francisco supports and endorses AB 622, the Clean Air for Children Seniors and Working Families Act and urges the California Assembly and Senate to pass AB 622, and urges the Governor to sign AB 622 into law.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090408 **Date Passed:**

Resolution urging the City and County of San Francisco to support Assembly Bill 622, the Clean Air for Children, Seniors, and Working Families Act.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090408

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090409 RESOLUTION NO. 122-09

[Child Care Provider Recognition Day]

Resolution declaring April 26, 2009 to be San Francisco Child Care Provider Recognition Day.

WHEREAS, The San Francisco Association for the Education of Young Children, in conjunction with the San Francisco Child Care Providers Association, the San Francisco Family Child Care Association, San Francisco Early Child Education Leaders of Today and Tomorrow, and the San Francisco Child Care Planning and Advisory Council, will host the 11th Annual Child Care Provider Recognition Reception on April 26, 2009; and

WHEREAS, These organizations and their members are working to provide high quality early learning opportunities that provide a foundation of learning for children in San Francisco; and

WHEREAS, All young children need and deserve high quality early learning experiences that will prepare them for life; and

WHEREAS, Early child care and education providers, teachers, and others who make a difference in the lives of young children and their families in San Francisco deserve thanks and recognition; and

WHEREAS, The Provider Recognition Reception is one of several activities being held in celebration of the nationally-designated *Week of the Young Child* which lasts from April 18 through April 26, 2009; now, therefore, be it

Supervisor John Avalos , Mar , Campos
BOARD OF SUPERVISORS

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RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby proclaim April 26, 2009 to be San Francisco Child Care Provider Recognition Day.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090409 **Date Passed:**

Resolution declaring April 26, 2009, to be San Francisco Child Care Provider Recognition Day.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090409

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090414 RESOLUTION NO. 123-09

[Resolution commending Zürich Mayor-Elect Corine Mauch]

Resolution honoring Corine Mauch on her historic election as the first Woman and Openly Gay Mayor of the City of Zürich, Switzerland.

WHEREAS, San Francisco and Zürich have shared a common bond as sister cities since 2003, aiming to foster knowledge and sharing between the two like-minded regions; and

WHEREAS, The City and County of San Francisco commends and thanks outgoing Zürich Mayor Elmar Ledergerber for his many efforts to promote and stimulate cultural understanding and economic development between San Francisco and Zürich; and

WHEREAS, Corine Mauch was elected as the first female mayor of the largest city in Switzerland after ten years on the Zürich city council; and

WHEREAS, Corine Mauch's election makes Zürich the most prominent international city to elect an openly gay woman as mayor to date; and

WHEREAS, Throughout her career, Corine Mauch has dedicated her service to the pursuit of environmental and sustainability issues, including the anti-nuclear cause, to ensure Switzerland and the world stay pristine for future generations; and

WHEREAS, Corine Mauch has spent much of her life working to support the works of the musical and visual arts community; and

WHEREAS, In her official capacities and in her personal life, Corine Mauch has worked tirelessly to promote and protect the access to education, health, safety and civil liberties for all people; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends Corine Mauch on her historic election and is committed to working with the Mayor and the City of

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Switzerland to provide many more opportunities for the cities' officials and citizens to experience and explore each other's culture through community partnerships and economic ties.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Resolution

File Number: 090414 **Date Passed:**

Resolution honoring Corine Mauch on her historic election as the first woman and openly gay Mayor of the City of Zürich, Switzerland.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090414

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090413 RESOLUTION NO. 124-09

[Donate Life Month.]

Resolution supporting April as Donate Life Month and urging all San Franciscans to participate in the Donate Life California Donor Drive.

WHEREAS, Organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and,

WHEREAS, More than 100,000 individuals nationwide and more than 20,000 in California are currently on the national organ transplant waiting list; and,

WHEREAS, Every ninety minutes one person dies while waiting due to the shortage of donated organs; and,

WHEREAS, Millions of lives each year are saved and healed by donors of organs, tissues, marrow and blood; and,

WHEREAS, Of the Californians waiting for life-saving transplants, 35% are Latino, 16% are Asian/Pacific Islanders and 14% are African Americans; and,

WHEREAS, Nearly 75% of Americans waiting for kidney transplants are people of color; and,

WHEREAS, California residents can sign up with the Donate Life California Registry when applying for or renewing their driver's licenses or ID cards at the California Department of Motor Vehicles; therefore, be it

RESOLVED, That the San Francisco Board of Supervisors supports the designation of April as Donate Life California Month; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors commends the work of Donate Life California and their efforts toward encouraging the residents of San Francisco to enroll in the Donate Life Registry.

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City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090413 **Date Passed:**

Resolution supporting April as Donate Life Month and urging all San Franciscans to participate in the Donate Life California Donor Drive.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090413

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

Amendment of the Whole
in Board
4/7/09

FILE NO. 090280 RESOLUTION NO. 125-09

[Accept and Expend State Grant Funds available under the Habitat Conservation Fund from the California State Department of Parks and Recreation in the amount of $157,000 for the Glen Canyon Islais Creek Restoration Project]

Resolution authorizing the San Francisco Recreation and Park Department to Accept and Expend a Habitat Conservation Fund Grant administered by the California Department of Parks and Recreation in the amount of $157,000 for the Glen Canyon Islais Creek Restoration Project.

WHEREAS, The Habitat Conservation Fund Program provides funds to local entities to protect fish, wildlife and native plant resources; and

WHEREAS, The State Department of Parks and Recreation has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing project application under the program; and

WHEREAS, The San Francisco Recreation and Park Department was awarded a grant in the amount of $157,000 and will enter into an agreement with the State of California to complete the project; and

WHEREAS, The San Francisco Recreation and Park Commission certifies that the Recreation and Park Department has or will have available prior to commencement of any work on the project included in this application, sufficient funds to operate and maintain the project; and

WHEREAS, The San Francisco Recreation and Park Commission certifies that the Project conforms to the recreation element of any applicable city or county general plan; and,

WHEREAS, The ~~applicant~~Recreation and Park Department will enter into an agreement with the State of California to complete the project; and

WHEREAS, The grant terms prohibit including indirect costs in the grant budget; now therefore, be it

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RESOLVED, That the City and County of San Francisco Board of Supervisors hereby approves the acceptance and expenditure of local assistance in the amount of $157,000 for the Glen Canyon Islais Creek Restoration Project; and, be it

FURTHER RESOLVED, That the City and County of San Francisco waives inclusion of indirect costs in the grant budget; and, be it

~~FURTHER RESOLVED, That the City and County of San Francisco certifies that Grantee has reviewed, understands and agrees to the General Provisions contained in the Contract shown in the Procedural Guide; and, be it~~

~~FURTHER RESOLVED, That the City and County of San Francisco Recreation and Park Commission certifies that Grantee has or will have available prior to commencement of any work on the project included in this application, sufficient funds to operate and maintain the project; and, be it~~

~~FURTHER RESOLVED, That the City and County of San Francisco certifies that the Project conforms to the recreation element of any applicable city or county general plan; and, be it~~

FURTHER RESOLVED, That the City and County of San Francisco appoints the General Manager of the Recreation and Park Department as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

~~Approved and Adopted on this_____ day of_____ 2009~~

Recommended:

General Manager, Recreation and Park Department

Approved:

SEE FILE FOR SIGNATURE

Mayor

SEE FILE FOR SIGNATURES

Controller

~~CERTIFICATION~~

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090280 **Date Passed:**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a Habitat Conservation Fund Grant administered by the California Department of Parks and Recreation in the amount of $157,000 for the Glen Canyon Islais Creek Restoration Project.

March 31, 2009 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 7, 2009 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 7, 2009 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090280

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

[Repeal Defense of Marriage Act.]

Resolution urging our California Congressional Delegation To Lead The Fight To Repeal The Federal "Defense of Marriage Act".

WHEREAS, The City and County of San Francisco respects and values its lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities and has demonstrated its strong support for loving relationships of same sex couples by leading the way on the campaign for marriage equality; and

WHEREAS, The federal law referred to as the Defense of Marriage Act of 1996 (DOMA) is hostile to the beliefs and interests of the City and County of San Francisco in regards to full state-to-state as well as federal recognition of same sex marriage; and,

WHEREAS, United States President Barack Obama has pledged publicly, and repeatedly to repeal DOMA and to enact legislation that would ensure that over 1,100 federal legal rights and benefits currently provided on the basis of marital status are extended to same sex couples in civil unions and other legally recognized unions; and,

WHEREAS, These rights and benefits include the right to assist a loved one in times of emergency, the right to equal health insurance and other employment benefits, and property rights; and,

WHEREAS, We must act deliberately to do away with continued discrimination and homophobia that specifically denies the LGBTQ members of our society the fundamental right to marry; and,

WHEREAS, Efforts continue around the country to deny the fundamental right to marry from the LGBTQ population, including California Proposition 8 of 2008 that sought to eliminate the right of same sex couples to marry; and,

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WHEREAS, Repealing DOMA is a critical step in offering equal protection under the law for a fundamental right of marriage and restoring equal rights for all; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the California Congressional delegation to lead the fight to repeal DOMA; and be it

FURTHER RESOLVED, That the Board of Supervisors calls specifically on House Speaker Nancy Pelosi, Senators Dianne Feinstein and Barbara Boxer, and the rest of the California Congressional delegation to work with President Obama and Congress to repeal DOMA and to underscore that the U.S. Constitution indeed offers equal protection to the LGBTQ communities through the fundamental right to marry.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090412 **Date Passed:**

Resolution urging our California Congressional delegation to lead the fight to repeal the Federal "Defense of Marriage Act."

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090412

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090330 RESOLUTION NO. 127-09

[Issuance and Sale of Revenue Bonds –Westmont College.]

Resolution approving the issuance and sale of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $122,500,000 to finance educational facilities owned and operated by the Westmont College.

WHEREAS, Westmont College, a California nonprofit religious corporation (the "Borrower"), has requested that the California Municipal Finance Authority, a joint exercise of powers agency established pursuant to the laws of the State of California (the "Authority") participate in the issuance of revenue bonds in an aggregate principal amount not to exceed $122,500,000 (the "Bonds") for the purpose of, among other things, financing and/or refinancing the acquisition, construction, improvement and equipping of educational facilities, including the loan of not to exceed $3,400,000 of bond proceeds to finance or refinance the costs of the acquisition, construction and improvement of various educational facilities located at 301 Lyon Street in the City and County of San Francisco (the "Project"); and,

WHEREAS, The issuance and delivery of the Bonds shall be subject to the approval of and execution by the Authority of all financing documents relating thereto to which the Authority is a party and subject to the sale of the Bonds by the Authority; and,

WHEREAS, The Project is located wholly within the City; and,

WHEREAS, The interest on the Bonds may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Bonds are approved in accordance with Section 147(f) of the Code; and,

WHEREAS, The Board of Supervisors of the City (the "Board") is the elected legislative body of the City and is one of the applicable elected representatives required to approve the

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issuance of the Bonds within the meaning of Section 147(f) of the Code and the public agency approval requirements of Section 91530(f) of the Government Code of the State of California, as amended; and,

WHEREAS, The Authority has requested the Board to approve the issuance and sale of the Bonds in order to satisfy the public approval requirements of Section 147(f) of the Code and the public agency approval requirements of Section 91530(f) of the Government Code of the State of California, as amended; and,

WHEREAS, On February 26, 2009, the City caused a notice to appear in the *San Francisco Chronicle*, which is a newspaper of general circulation in the City, stating that a public hearing with respect to the issuance of the Bonds would be held by the City's Office of Public Finance on March 12, 2009; and,

WHEREAS, The Office of Public Finance held the public hearing described above on March 12, 2009, and an opportunity was provided for persons to comment on the issuance and sale of the Bonds and the plan of finance for the Project; now, therefore be it

RESOLVED, That this Board hereby finds and declares the above recitals are true and correct; and, be it

FURTHER RESOLVED, That this Board hereby approves the issuance and sale of the Bonds by the Authority for the purposes of financing and/or refinancing the acquisition, acquiring, construction, improvement and equipping of the Project; and, be it

FURTHER RESOLVED, That it is the purpose and intent of this Board that this Resolution constitute approval by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located for the purposes of and in accordance with Section 147(f) of the Code and the public agency approval requirements of Section 91530(f) of the Government Code of the State of California, as amended; and, be it

FURTHER RESOLVED, That the approval of the issuance and sale of the Bonds by the Authority is neither an approval of the underlying credit issues of the proposed Project nor an approval of the financial structure of the Bonds; and the City and County of San Francisco, nor any department thereof, shall have no responsibility or liability whatsoever with respect to the Bonds or the Project; and, be it

FURTHER RESOLVED, That the Bonds shall not constitute a debt or obligation of the City and the payment of the principal, prepayment premium, if any, and purchase price of and interest on the Bonds shall be solely the responsibility of the Borrower; and, be it

FURTHER RESOLVED, The adoption of this Resolution shall not obligate (i) the City to provide financing to the Borrower for the acquisition, rehabilitation and development of the Project or to issue the Bonds for purposes of such financing; (ii) make any contribution or advance any funds to the Authority; (iii) the City, or any department of the City, to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other regulatory action sought in connection with the Project;

FURTHER RESOLVED, That the Controller and the Director of the Office of Public Finance and any other proper officers of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts as may be necessary or advisable to effect the purposes of this Resolution and the transactions herein authorized, and, be it

FURTHER RESOLVED, That this Resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

By: _____
MARK D. BLAKE
Deputy City Attorney

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090330 **Date Passed:**

Resolution approving the issuance and sale of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $122,500,000 to finance educational facilities owned and operated by the Westmont College.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090330

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090415 RESOLUTION NO. 128-09

[Redmond Kernan Day]

Resolution declaring April 7, 2009 as "Redmond Kernan Day" in the City and County of San Francisco.

WHEREAS, Redmond Kernan, born in New York, first came to Northern California as a child during World War II when his father was assigned to Fort Ord, wherein he first visited the Presidio; and,

WHEREAS, Redmond served in the Army, rising to the level of Lieutenant Colonel, in the Korean War and returned to San Francisco in 1958 and served as an Army Reserve Officer in the Presidio for a number of years; and,

WHEREAS, Redmond Kernan had a successful career as a civil engineer working for the San Francisco Department of Public Works, as Acting Director of the San Francisco Redevelopment Agency, the Koll Company and as a private consultant; and,

WHEREAS, Redmond's work on behalf of preserving the Presidio began in the mid-1980s, even before the Army began to contemplate a departure; and,

WHEREAS, For two decades, Redmond has demonstrated his love for the Presidio by sharing his time and wisdom with organizations supporting the park; and,

WHEREAS, Appointed by the Secretary of the Interior during the Clinton Administration, Redmond served with distinction on the Advisory Commission for the Golden Gate National Recreation Area (GGNRA) and Point Reyes National Seashore from the mid-1990s until 2002; and,

WHEREAS, Redmond has also served as President and Board Member of the Presidio Historical Association; Past Chair of the GGNRA Presidio Committee; Past President and member of the Board of the Neighborhood Associations for Presidio Planning (NAPP);

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Member of the Board of the Planning Association for the Richmond (PAR); the California Heritage Council; and on the Board and Advisory Council of the San Francisco Planning and Research Association (SPUR); and,

WHEREAS, On October 18, 2007, the Presidio Trust Board of Directors created by way of resolution the annual "Redmond Kernan Lecture" at the Presidio; and,

WHEREAS, In July of 2008, Redmond Kernan was unanimously elected as Chair of the Presidio Neighborhood Representative Work Group (PNRWG), which was created to review and provide comments on revisions to the Presidio Trust Management Plan (Main Post Update); and,

WHEREAS, Redmond is still leading the charge to protect the Presidio and its designation as a National Historic Landmark District; and,

WHEREAS, Redmond has been integral to many important changes in San Francisco and the region including the conception and building of South Beach Rincon Hill, the opening up of the waterfront and development of Embarcadero Boulevard, the conversion of the Presidio into a national park, the conception of the Presidio Trust, the design of Doyle Drive, the planning for the Transbay Terminal; and the design, development and construction of Moscone Center, South Beach Harbor, and Yerba Buena Center; and,

WHEREAS, His years of solid leadership on the Presidio Historical Association, the GGNRA Advisory Commission, the GGNRA Presidio Committee, the SPUR Board and Advisory Council, the Neighborhood Association for Presidio Planning, the Planning Association for the Richmond, the Presidio Neighborhood Representative Work Group and other organizations have led to real and positive change in San Francisco that will last for generations; and,

WHEREAS, Redmond deeply believes that an open and mutually respectful public process was the best path to follow no matter how heated and complex an issue might be; and,

WHEREAS, Redmond has achieved a great deal to make San Francisco a better place with his rare gift for developing public understanding and building coalitions; and,

WHEREAS, The Board of Supervisors desires to recognize the extraordinary effort and commitment that Redmond has made to the preservation and to the future of the Presidio and the City and County of San Francisco; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends Redmond Kernan for his many years of dedicated service to the City and County of San Francisco and hereby proclaims April 7, 2009 as "Redmond Kernan Day."

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090415 **Date Passed:**

Resolution declaring April 7, 2009 as "Redmond Kernan Day" in the City and County of San Francisco.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090415

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090296 RESOLUTION NO. 129-09

[Ten Year Capital Expenditure Plan.]

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2010-2019.

WHEREAS, This Board of Supervisors (the "Board") of the City and County of San Francisco (the "City") adopted Ordinance No. 216-05 (the "Capital Planning Ordinance") amending San Francisco Administrative Code sections 3.20 and 3.21 to authorize the formation of a Capital Planning Committee (the "Committee") and the annual preparation and adoption of a ten year capital expenditure plan for the City, including an assessment of the City's capital infrastructure needs, investments required to meet the needs identified through this assessment, and a plan of finance to fund these investments; and,

WHEREAS, The Capital Planning Ordinance set March 1 as the target date for the City Administrator's submission of the annual ten year capital plan to the Mayor of the City and the Board, and called for the Mayor and the Board to review, update, amend and adopt the ten year capital plan by May 1 of each year; and,

WHEREAS, The Committee has held public hearings and worked with City staff to develop a capital expenditure plan meeting the requirements of the Capital Planning Ordinance; and,

WHEREAS, At its February 25, 2009 meeting the Committee adopted the ten year capital plan for fiscal years 2010-2019 and approved it for submission to the Mayor and the Board (as so adopted, the "Capital Plan"); and,

WHEREAS, The Capital Plan and the City Administrator's transmittal letter are on file with the Clerk of the Board of Supervisors in File No. 090296 , which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

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RESOLVED, That the above recitals are true and correct; and, be it

FURTHER RESOLVED, That this Board has reviewed the Capital Plan; and, be it

FURTHER RESOLVED, That this Board hereby adopts the Capital Plan, with such amendments and revisions as this Board deems appropriate, as the City's ten year capital expenditure plan for purposes of the Capital Planning Ordinance.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090296 **Date Passed:**

Resolution adopting the City's ten year capital expenditure plan for fiscal years 2010-2019.

April 7, 2009 Board of Supervisors — ADOPTED
Ayes: 8 - Avalos, Campos, Chiu, Chu, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Daly, Elsbernd

File No. 090296

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090411 RESOLUTION NO. 130-09

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[Mary Risley and Tante Marie Day]

Resolution proclaiming April 26, 2009 as "Mary Risley and Tante Marie Day" in San Francisco.

WHEREAS, Mary Risley, Founder and Director of Food Runners, started Tante Marie's Cooking School, in April, 1979, at 271 Francisco Street, as a full-time culinary school training people for a career in cooking; and,

WHEREAS, BON APPETIT magazine awarded Mary Risley Cooking Teacher of the Year in 1998 at their first Annual Food & Entertainment Awards; and,

WHEREAS, Mary Risley started Food Runners in 1987 a volunteer organization that offers the service of picking up excess food from businesses in San Francisco and delivering it to neighborhood food programs; and,

WHEREAS, In 1998, The San Francisco Chronicle named Mary Risley one of the ten most influential in the Bay Area; and,

WHEREAS, In 1999, Mary Risley received the "Humanitarian of the Year" award from the James Beard Foundation in New York City for her work with Food Runners; and

WHEREAS, Mary Risley and the chef/instructors of Tante Marie's Cooking School has trained and launched over 1,500 professional students in the field of food and cooking; now, therefore, be it

RESOLVED, The San Francisco Board of Supervisors commends Mary Risley for her many years of dedicated service to the City and County of San Francisco and hereby proclaims April 26th, 2009 as "Mary Risley and Tante Marie Day".

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090411 **Date Passed:**

Resolution proclaiming April 26, 2009, as "Mary Risley and Tante Marie Day" in San Francisco.

April 7, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090411

I hereby certify that the foregoing Resolution was ADOPTED on April 7, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/17/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090249

As Amended
In Board
4/14/09

RESOLUTION NO. 131-09

[Urging the Organizers of the Bay to Breakers to Collaborate on a Comprehensive Plan that Protects the Neighborhoods While Preserving the Unique Spirit of the Race.]

Resolution urging the sponsors of the Bay to Breakers race to work with city agencies, neighborhood groups, and race advocates to develop a comprehensive plan that protects the host neighborhoods while preserving the unique spirit of the race.

WHEREAS, The Bay to Breakers footrace was started in 1912 to rally San Franciscans together and raise their spirits as they struggled to recover from the 1906 earthquake; and

WHEREAS, Bay to Breakers has grown to become an iconic San Francisco event that exemplifies the City's joie de vivre through traditions such as creative costumes, local bands playing for the participants, and house parties along the route; and,

WHEREAS, Small businesses and hotels across the City report a measurable increase in business throughout the Bay to Breakers weekend; and,

WHEREAS, In recent years, a growing number of non-registered participants have joined the event after the runners have passed; and,

WHEREAS, Many of these non-registered participants dress in costumes and devote months to building elaborate rolling floats, which have transformed the tail end of the event into an informal parade celebration that has not been part of the race's plan for vital facilities such as portable toilets and trash and recycling receptacles; and,

WHEREAS, For the last several years, the number of registered participants has decreased while the number of non-registered participants has increased to the point were in 2008 there were almost as many non-registered participants as registered participants; and,

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WHEREAS, The cumulative impact of the large numbers of non-registered participants and their floats on the neighborhoods has grown unacceptable, with 35 tons of trash being discarded along the race route in 2008; and,

WHEREAS, In response to concerns from neighbors, participants, and the City, the sponsors of Bay to Breakers announced a zero-tolerance policy for alcohol and wheeled objects in 2009; and,

WHEREAS, More than 15,000 citizens have joined online groups or signed petitions to express their concerns that this new zero-tolerance policy threatens the unique spirit of Bay to Breakers; and

WHEREAS, The citizens in these online groups have offered a number of suggestions for improving the race and have expressed their willingness to register for the race and help encourage others to respect the host neighborhoods if their concerns are addressed; and

WHEREAS, These online groups are uniquely positioned to help with outreach to the non-registered participants using social-networking tools and their personal networks to encourage people to register for the race and to bring an improved ethic of personal respect the host neighborhoods; and,

WHEREAS, In these troubled times, the Bay to Breakers is too important to both San Francisco's local economy and collective spirits to allow for a small minority of bad actors to compromise the integrity of this historic event; now, therefore, be it

RESOLVED That the Board of Supervisors of the City and County of San Francisco urges the sponsors of the Bay to Breakers to work with city agencies, neighborhood groups, and race advocates to develop a comprehensive plan to preserve the fun and free spirit of the race, complete with decorative floats, that provides adequate infrastructure—particularly portable toilets and trash and recycling receptacles—to accommodate the anticipated

attendance of both registered and non-registered participants and protects the host neighborhoods; and, be it

FURTHER RESOLVED That the Board of Supervisors urges the race sponsors to develop a new registration category for non-running participants who do not plan to race competitively and who are not interested in a race bib, t-shirt, or timing chip; and, be it

FURTHER RESOLVED That the Board of Supervisors urges the race sponsors to expand the "Footstock" after-party in Golden Gate Park to include an area designated as the end point for all floats instead of diverting floats out of the park and into the Richmond and Sunset neighborhood; and, be it

FURTHER RESOLVED That the Board of Supervisors urges the race sponsors to work with the newly-organized race advocates on a publicity campaign to urge all participants to register for the race and to promote an improved ethic of personal responsibility that will "leave no trace" and respect the host neighborhoods; and, be it

FURTHER RESOLVED That the Board of Supervisors urges the race sponsors to work with the Municipal Transportation Agency to provide special Muni service using Transverse Drive in Golden Gate Park to expedite participants' departure from the park.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090249 **Date Passed:**

Resolution urging the sponsors of the Bay to Breakers race to work with city agencies, neighborhood groups, and race advocates to develop a comprehensive plan that protects the host neighborhoods while preserving the unique spirit of the race.

March 3, 2009 Board of Supervisors — REFERRED: City Operations and Neighborhood Services Committee

April 14, 2009 Board of Supervisors — AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

April 14, 2009 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090249

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

4/24/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: April 24, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

for
Clerk of the Board

File No.
090249

FILE NO. 090427 RESOLUTION NO. 132-09

[Solidarity with the workers of Hyatt Fisherman's Wharf and HEI Le Meridien Hotel.]

Resolution urging Hyatt Fisherman's Wharf and HEI Le Meridien Hotel to allow its workers to choose, free from delay and intimidation, whether to have a union through a card-check neutrality agreement

WHEREAS, In June 2008, workers of the two non-union hotels in our city, the Hyatt Fisherman's Wharf and the HEI Le Meridien, petitioned their respective general managers for a fair process, free from delay and intimidation, to choose whether to have a union through a check neutrality agreement; and

WHEREAS, After many worker pickets and community delegations, the management of both hotels have rejected a card-check process; and,

WHEREAS, On February 24, 2009, a large number of workers at these hotels publicly called for a consumer boycott of their own hotels and over 700 Local 2 members rallied and marched in support of a boycott of these two hotel; and,

WHEREAS, Other hotels across San Francisco area have already agreed to this same process including, most recently, the Four Seasons, St. Regis, and Intercontinental hotels. Additionally, Hyatt has already agreed to provide this same process to workers at all new hotels they open in San Francisco and San Mateo counties; and therefore be it

RESOLVED, That the Board of Supervisors of San Francisco urges the management of the Hyatt Fisherman's Wharf and HEI Le Meridien Hotels to honor the workers call for a card-check neutrality agreement; and therefore be it

FURTHER RESOLVED, That the City and County of San Francisco will honor and endorse the worker called boycotts of the Hyatt Fisherman's Wharf and HEI LE Meridien Hotels; and

Supervisor Chiu, Avalos, Mar, Mirkarimi, Campos
BOARD OF SUPERVISORS

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FURTHER RESOLVED, All departments in line of San Francisco shall boycott the services provided by the Hyatt Fisherman's Wharf and HEI Le Meridien Hotels in for all business related to the functioning of the City and County government until such time as a card-check neutrality agreement will be honored by the hotels' respective management; and therefore be it

FURTHER RESOLVED, That the Clerk of Board of Supervisors shall send a letter and a copy of this resolution to the management of the Hyatt Fisherman Wharf and HEI Le Meridien Hotels affirming the above.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090427 **Date Passed:**

Resolution urging Hyatt Fisherman's Wharf and HEI Le Meridien Hotel to allow its workers to choose, free from delay and intimidation, whether to have a union through a card-check neutrality agreement.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090427

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

4/24/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: April 24, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090247

FILE NO. 090252 RESOLUTION NO. 133-09

[Street Encroachment at 3711-19th Avenue and Crespi Drive.]

Resolution granting revocable permission to Parkmerced Investors Properties LLC, to occupy a portion of the public right-of-way to construct, realign, and maintain an existing paved curb island to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the Property at 3711-19th Avenue (Assessor's Blocks 7315, 7316, 7320), conditioned upon the payment of an annual assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

WHEREAS, Pursuant to Public Works Code Section 786, Parkmerced Investors Properties LLC, requested permission to occupy a portion of the public right-of-way to construct, realign, and maintain an existing paved curb island to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the property at 3711-19th Avenue. The encroachment and related improvements are shown on plans filed with the Department of Public Works. Copies of such plans are on file with the Clerk of the Board of Supervisors in File No. 090252; and

WHEREAS, The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT), at its meeting of December 7, 2006, recommended the proposed encroachment for approval; and

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Supervisor Elsbernd
BOARD OF SUPERVISORS

WHEREAS, The Planning Department, by letter dated November 7, 2008, found the proposal, on balance, consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. This letter also includes a determination relating to the encroachment pursuant to the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). A copy of said letter is on file with the Clerk of the Board of Supervisors in File No. 090252, and is incorporated herein by reference; and,

WHEREAS, After a duly noticed public hearing on January 14, 2009, the Department of Public Works recommended approval of the proposed encroachment; and

WHEREAS, The permit and associated street encroachment agreement, which are incorporated herein by reference and are on file with the Clerk of the Board of Supervisors in File No. 090252, shall not become effective until:

(a) The Permittee executes and acknowledges the permit and delivers said permit to the City Controller;

(b) Permittee delivers to the City Controller a policy of insurance provided for in said agreement and the Controller shall have had approved the same as complying with the requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said insurance policy, the certificate of an insurance company certifying to the existence of such a policy; and

(c) The Department of Public Works records the permit and associated agreement in the office of the County Recorder; and

WHEREAS, The Permittee, at the Permittee's sole expense, and as is necessary as a result of this permit, shall make the following arrangements:

(a) To provide for the support and protection of facilities belonging to the Department of Public Works, San Francisco Water Department, the San Francisco Fire Department, and other City Departments, and public utility companies;

(b) To provide access to such facilities to allow said entities to construct, reconstruct, maintain, operate, or repair such facilities; and

(c) To remove or relocate such facilities if installation of the encroachment requires said removal or relocation and to make all necessary arrangements with the owners of such facilities, including payment for all their costs, should said removal or relocation be required; and

WHEREAS, The Permittee shall procure the necessary permits from the Central Permit Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping, Department of Public Works, and pay the necessary permit fees and inspection fees before starting work; and

WHEREAS, The permit shall be conditioned upon payment of an annual public right-of-way occupancy assessment pursuant to Public Works Code Section 786 and the initial amount of said fee shall be $18,900.00; and

WHEREAS, No structure shall be erected or constructed within said street right-of-way except as specifically permitted herein; and

WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San Francisco by reason of this permission granted; now, therefore, be it

RESOLVED, That pursuant to Public Works Code Section 786, the Board of Supervisors hereby grants revocable permission to Parkmerced Investors Properties LLC, to occupy portions of the public right-of-way to construct, realign, and maintain an existing paved curb island to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the property at 3711-19th Avenue, conditioned upon

the payment of an annual occupancy assessment fee and other conditions set forth herein; and, be it

FURTHER RESOLVED, That the Board adopts as its own the findings of consistency with the General Plan and Planning Code Section 101.1 as set forth in the Planning Department letter dated November 7, 2008, and affirms the environmental determination contained in said letter.

APPROVED:

Edward D. Reiskin
Director of Public Works

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090252 **Date Passed:**

Resolution granting revocable permission to Parkmerced Investors Properties LLC, to occupy portions of the public right-of-way to construct, realign, and maintain an existing paved curb islands to improve pedestrian accessibility and vehicular traffic circulation and safety, resurface portions of Crespi Drive with new Bomanite stamped concrete paving and install three (3) decorative columns at the entry way to Crespi Drive public right-of-way, between 19th Avenue and Serrano Drive, to enhance the Property at 3711-19th Avenue (Assessor's Blocks 7315, 7316, 7320), conditioned upon the payment of an annual assessment fee; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090252

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090260 RESOLUTION NO. 134-09

[2009 Annual Fundraising Drive]

Resolution designating those agencies qualified to participate in the 2009 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

WHEREAS, Section 16.93-4 of the Administrative Code of the City and County of San Francisco requires that by May 1st of each year, the Board of Supervisors, by resolution, shall designate those agencies that qualify to participate in the City's Annual Fundraising Drive for that year; and,

WHEREAS, The agencies referred to below have each submitted an application for participation in the 2009 Annual Fundraising Drive; and,

WHEREAS, Applicants are qualified to participate in the Annual Fundraising Drive if they meet the requirements contained in Administrative Code Section 16.93-2; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco finds that applicants who participate in the City's Annual Fundraising Drive must meet the following criteria contained in Administrative Code Section 16.93-2:

1. An applicant must be a federated agency representing 10 or more charitable organizations, of which at least 50 percent shall represent organizations located in the counties of San Francisco, San Mateo, Santa Clara, Alameda, Contra Costa, and Marin;
2. The federated agency must certify to the Board that the Internal Revenue Service has determined that contributions to all of the represented charitable organizations are tax deductible;

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3. The federated agency must have been in existence with 10 or more qualified charities for at least one year prior to the date of application and provide satisfactory evidence to that effect at the time of filing an application with the Board;
4. The federated agency must submit its most recent certified audit at the time of filing an application with the Board;
5. The federated agency must submit an application to the Board that includes all information that may be relevant to the criteria listed above; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby finds and determines that the requirements of Administrative Code Section 16.93-2 have been met by the following applicants:

Bay Area Black United Fund, Inc.; Local Independent Charities of America; Earth Share of California; Global Impact; United Way of the Bay Area; Community Health Charities of California; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby designates the following agencies as agencies that qualify to participate in the City's Annual Fundraising Drive for 2009:

Bay Area Black United Fund, Inc.; Local Independent Charities of America; Earth Share of California; Global Impact; United Way of the Bay Area; Community Health Charities of California; and, be it

FURTHER RESOLVED, That the designated agencies shall fulfill all obligations and responsibilities required of participants in the City's Annual Fundraising Drive.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090260 **Date Passed:**

Resolution designating those agencies qualified to participate in the 2009 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090260

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090448 RESOLUTION NO. 135-09

[Supporting Assembly Bill 560, Net Metering]

Resolution supporting Assembly Bill 560 that would raise the cap on net metering, and possibly eliminate the cap entirely.

WHEREAS, Net metering is the billing arrangement by which electricity customers are able to install renewable generation, such as solar power, and offset retail electricity purchases with the renewable electricity they generate; and

WHEREAS, The State of California has experienced consistent growth in the amount of solar installed since enacting "net metering" legislation in 1995; and

WHEREAS, The nation turns to California and San Francisco for leadership in the deployment of solar, and the building of a sustainable, long-term renewable energy economy; and

WHEREAS, The City and County of San Francisco, in its efforts to become a national leader in in-city solar generation, offers considerable monetary incentives totaling thousands of dollars for solar power installations, as well as free solar power assessments for commercial properties; and

WHEREAS, The total amount of solar capacity eligible for net metering within the state is capped when the total rated generating capacity of net metered systems exceeds 2.5% of a retail electric service provider's "aggregate customer peak demand" pursuant to the provisions of the 2006 California Solar Initiative (CSI); and

WHEREAS, The City and County of San Francisco currently has 1,070 photovoltaic installations producing 7.25 Megawatts of solar power generating less than 1% of aggregate customer peak demand with the goal of reaching 10,000 solar roofs by 2010, which, if achieved, would far exceed the 2.5% cap locally; and

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WHEREAS, The installation of photovoltaic systems expanded to a 74% annual growth rate through March 2008 when the size limit on systems eligible for net metering was extended to 1 megawatt; and

WHEREAS, With this limitation in place and at current growth rates, the 2.5% cap will be reached in PG&E's territory within the next 18 months which will require action in the current legislative cycle to avoid subjecting the solar market to major disruption; and

WHEREAS, If the existing 2.5% cap is not raised, California's ability to achieve its goal under the California Solar Initiative of 3,000 megawatts of solar power would be jeopardized, and hundreds of small businesses that install solar systems will be at risk financially; and

WHEREAS, Net metering is not only crucial to a solar project's economics, but it also benefits all ratepayers by decreasing peak demand when electricity is most needed and most expensive; and

WHEREAS, Forty-four states and Washington, D.C. offer net metering, and eighteen of the net-metering states have eliminated the cap on total net energy metered capacity; and

WHEREAS, The California State Assembly is currently considering Assembly Bill 560, legislation introduced by Assemblymember Nancy Skinner that would raise the cap on net metering, and possibly eliminate the cap entirely; now, therefore, be it:

RESOLVED, That the City and County of San Francisco by and through its Board of Supervisors hereby supports Assembly Bill 560; and be it

FURTHER RESOLVED, That the City and County of San Francisco urges the California State Legislature to go one step further and join the eighteen states that have already eliminated their cap on net metering; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall forward a fully conformed copy of this resolution to San Francisco's state legislative delegation as well as the

President pro Tem of the California Senate, Speaker of the California Assembly, and Assemblymember Nancy Skinner.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090448 **Date Passed:**

Resolution supporting Assembly Bill 560 that would raise the cap on net metering, and possibly eliminate the cap entirely.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090448

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090444 RESOLUTION NO. 136-09

[Supporting Assembly Bill 324, the Elder Economic Dignity Act of 2009]

Resolution supporting the California State Assembly Bill 324, the Elder Economic Dignity Act of 2009 .

WHEREAS, California State Assembly Bill 324 (AB 324), the Elder Economic Dignity Act of 2009 would institute the Elder Economic Security Standard Index (Elder Index) to assess and plan for the economic needs of California's burgeoning aging population; and,

WHEREAS, Using publicly available state and federal data sources, the Elder Index is a new tool that accurately quantifies the cost of meeting *basic* needs for retired, older adults in each county of California; and

WHEREAS, AB 324 would require the Elder Index to be used in 1) planning documents by Area Agency on Aging and the California Department of Aging; 2) determining eligibility for new California State needs-based program; 3) identifying seniors in economic need (i.e. as a case management tool in the Linkages program); and,

WHEREAS, AB 324 would further require the State to annually update the Elder Index and calculate number of seniors living below the Elder Index, using the existing formulas; and,

WHEREAS, Legislators at both the local and state level struggle to create effective policies to promote economic security and eradicate poverty because they do not have an accurate picture of what it really takes to make ends meet in today's economy; and

WHEREAS, Policymakers typically measure poverty, allocate limited resources and determine benefits' eligibility using the Federal Poverty Line (FPL) and the FPL is a 1963 measure based *solely* on the cost of a bare-bones food diet and the FPL is a flat dollar

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amount—$10,830 for an individual living alone in 2009—whether one lives in a high cost market like urban San Francisco, or a low cost one like rural Arkansas; and,

WHEREAS, The Elder Index sets a new benchmark of income adequacy for older adults and provides the true cost of meeting basic needs and maintaining independence in the community; and,

WHEREAS, By institutionalizing this tool, AB 324 will empower policymakers to allocate limited resources more effectively, prepare for the needs of seniors and aging baby boomers, enable direct service providers to identify seniors struggling to cover their costs, and refer them to appropriate resources; and,

WHEREAS, By updating the Elder Index annually, AB 324 will help adults of *any* age make informed decisions about *when* and *where* to retire, how much to save now, and whether to continue working even after formally "retiring," and;

WHEREAS, While having no impact on eligibility for current programs, AB 324 would allow policymakers to use an updated, more accurate, and localized measurement to set income standards for future programs; and,

WHEREAS, AB 324 is a vital step to enable older Californians to age with dignity and economic well-being and by enacting AB 324, California would once again demonstrate its leadership in setting visionary policies for the 21st Century; and,

WHEREAS, The City and County of San Francisco is currently considering legislation instituting a pilot program for the Community Living Fund to use the Elder Index to collect data, develop protocols, and plan generally for use of a broader measure of poverty across all City Programs which on file with the Clerk of the Board of Supervisors in File No. 090328 and is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the City and County of San Francisco by and through its Board of Supervisors hereby supports Assembly Bill 324; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall forward a fully conformed copy of this resolution to San Francisco's state legislative delegation as well as the President pro Tem of the California Senate and Speaker of the California Assembly.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090444 **Date Passed:**

Resolution supporting the California State Assembly Bill 324, the Elder Economic Dignity Act of 2009 .

April 14, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090444

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

for Kay Gulbengay
Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090429 RESOLUTION NO. 137-09

[Urging federal authorities to approve the citizenship of Shirley Tan and pass the Uniting American Families Act.]

Resolution urging federal authorities to remove obstacles to United Citizenship for Shirley Tan, and urging the passage of the Uniting American Families Act (UAFA, H.R. 1024, S. 424).

WHEREAS, The home of Shirley Tan and Jay Mercado was entered and searched by authorities of Immigration and Customs Enforcement who then arrested Shirley Tan for alleged violations of immigration law, and

WHEREAS, Shirley Tan has been in a committed relationship with Jay Mercado, a citizen of the United States of America, for over 23 years; and

WHEREAS, Shirley Tan and Jay Mercado were legally married in 2004 and, further, registered as domestic partners; and

WHEREAS, Shirley Tan and Jay Mercado are the parents of twelve-year old sons Joriene and Jashley, and are American family in every respect, except as recognized by United States law; and

WHEREAS, United States law has long provided a clear path to citizenship for individuals who risk persecution in their home countries, and for individuals in loving, committed relationships with United States citizens, and

WHEREAS, The United States has afforded rights on a particular class of individuals while denying other individuals the same rights in violation of the constitutional principles of due process and equal protection, and in violation of principles of decency and fairness; and, now, be it

RESOLVED, That the San Francisco Board of Supervisors urges federal authorities to take immediate steps to grant Shirley Tan legal United States citizenship; and, be it

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FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Congress to speedily pass the Uniting American Families Act (UAFA, H.R. 1024, S. 424) to halt the destruction of similarly situated American families; and, be it

FURTHER RESOLVED, That it is requested that the Clerk of the Board forward this resolution to the members of the California Congressional delegation.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090429 **Date Passed:**

Resolution urging Federal authorities to remove obstacles to United Citizenship for Shirley Tan, and urging the passage of the Uniting American Families Act (UAFA, H.R. 1024, S. 424).

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090429

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/28/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090442 RESOLUTION NO. 138-09

[Armenian Genocide Commemoration Day]

Resolution declaring April 24, 2009, as Armenian Genocide Commemoration Day in San Francisco.

WHEREAS, The Armenian people, living in their 3,000 year historic homeland in eastern Asia Minor and throughout the Ottoman Empire, were subjected to severe persecution and brutal injustice by the government of the Ottoman Empire before and after the turn of the twentieth century, including widespread massacres, usurpation of land and property, and acts of wanton destruction during the period from 1894 to 1896, and again in 1909; and

WHEREAS, The horrible experience of the Armenians at the hands of the Ottoman Turkish government culminated in 1915 in what is known by historians as the first genocide of the twentieth century; and

WHEREAS, The Armenian Genocide began with the arrest, exile, and murder of hundreds of Armenian intellectuals, and political, religious, and business leaders, starting on April 24, 1915; and

WHEREAS, The Ottoman authorities planned and executed the unspeakable atrocities committed against the Armenian people from 1915 through 1923, which included the torture, starvation, and murder of 1,500,000 Armenians, death marches into the Syrian desert, the forced exile of more than 500,000 innocent people, and the loss of the traditional Armenian homelands; and

WHEREAS, The United States National Archives and Record Administration and the official archives of other countries hold extensive and thorough documentation on the Armenian Genocide; and

WHEREAS, The Honorable Henry Morgenthau, United States Ambassador to the Ottoman Empire from 1913 to 1916, organized and led protests by officials of many countries, among them the allies of the Ottoman Empire, against the Armenian Genocide; and

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WHEREAS, Ambassador Morgenthau explicitly described to the United States Department of State the policy of the government of the Ottoman Empire as "a campaign of race extermination," and was instructed on July 16, 1915, by United States Secretary of State Robert Lansing, that the "Department approves your procedure. . . to stop Armenian persecution;" and

WHEREAS, Leading news agencies of the time documented the atrocities being committed against the Armenians; and

WHEREAS, Raphael Lemkin, who coined the term "genocide" in 1944, and who was the earliest proponent of the United Nations Convention on the Prevention and Punishment of Genocide, invoked the Armenian case as a definitive example of genocide in the 20th century; and

WHEREAS, The International Association of Genocide Scholars has repeatedly affirmed that the massacres of Armenians ordered by the Young Turk government constitute genocide; and

WHEREAS, The Republic of Turkey unjustifiably and adamantly denies the occurrence of this crime against humanity while actively continuing to remove traces of Armenian existence, including the destruction of cultural heritage, to this day; and

WHEREAS, The Republic of Turkey suppresses freedom of speech on the matter of the Armenian Genocide and prosecutes its citizens under Article 301 of the Turkish Penal Code for statements related to the Armenian Genocide, including Nobel Laureate Orhan Pamuk and Hrant Dink, an Armenian newspaper editor, who was assassinated as a result of these prosecutions; and

WHEREAS, The passage of nine decades and the fact that few survivors remain who serve as reminders of indescribable brutality and torment, compel a sense of urgency in efforts to solidify recognition, reaffirmation and justice of historical truth; and

WHEREAS, By honoring the survivors and consistently remembering and condemning the atrocities committed against the Armenian people, as well as the persecution of the Assyrian and Greek populations of the Ottoman Empire, we guard against repetition of the crime of genocide; and

WHEREAS, California has become home to the largest and most active population of Armenians in the United States, and those citizens have enriched our state through leadership in the fields of academia, medicine, business, agriculture, government, and the arts and are proud and patriotic practitioners of American citizenship; and

WHEREAS, San Francisco Armenian-Americans are predominantly descendants of the few remaining refugees who witnessed and survived the brutal murder of their families, the destruction of their homes and institutions, and confiscation of all their properties, and

WHEREAS, Those Armenian Genocide survivors, who arrived in San Francisco and reestablished themselves, built a thriving community that has created churches, civic and charitable organizations and a school, and have become an integral part of the dynamic culture of San Francisco, and

WHEREAS, San Francisco is proud to join the Armenian-American community in its commemoration of the 94th anniversary of the Armenian Genocide in an effort to educate others about the tragic loss of life, land, and human rights of the Armenian people and the crime of genocide committed against them; now, therefore, be it

RESOLVED, that the San Francisco Board of Supervisors does hereby declare April 24, 2008 as Armenian Genocide Commemoration Day in the City and County of San Francisco; and, be it

FURTHER RESOLVED, that the San Francisco Board of Supervisors will send a letter urging the United States Congress and President Barrack H. Obama to give just recognition of the Armenian Genocide.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090442 **Date Passed:**

Resolution declaring April 24, 2009, as Armenian Genocide Commemoration Day in San Francisco.

April 14, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090442

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090426 RESOLUTION NO. 139-09

[Commending Dwayne Kinner.]

Resolution commending and thanking Dwayne Kinner on the occasion of the 20th Anniversary of the Workers' Children's Fund Softball Tournament and for his hard work towards and dedication to enriching the lives of San Francisco's foster children.

WHEREAS, Dwayne Kinner began his career with the City and County of San Francisco in 1971 as a payroll clerk, transferred to the Social Services Agency, then, after receiving his Masters in Social Work from San Francisco State in 1981, moved into the Family and Children's Services Division, finally transferring to the Adoptions Unit in 1997; and

WHEREAS, In 1989, Dwayne Kinner founded the Workers' Children's Fund Annual Softball Tournament; and,

WHEREAS, For the past 20 years, on the first weekend in May, City department Co-ed softball teams, along with a few community teams, come together to challenge each other to a friendly game of softball to benefit San Francisco's foster children; and,

WHEREAS, Public funds may provide for foster children's basic needs such as food, shelter, and clothing, but not for a child's individual needs; and,

WHEREAS, Funds raised by Dwayne Kinner on behalf of the Workers' Children's Fund have enabled San Francisco's foster children to attend summer camp, participate on school sports teams, take music lessons, and go to college – opportunities that have made a tremendous difference in the lives of foster children; and,

WHEREAS, Dwayne Kinner has demonstrated unwavering commitment to San Francisco's foster children and at-risk youth by serving on the Board of the Workers' Children's Fund and by tirelessly raising funds through the Annual Softball Tournament which

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are critical to providing opportunities to enrich the lives and enhance the self-esteem of foster children; and,

WHEREAS, For the past 20 years, Dwayne Kinner and the Workers' Children's Fund have raised over $200,000 for San Francisco's foster children and have fostered a spirit of community among City employees who give their time and money to participate in the rewarding tradition of the Annual Workers' Children's Fund Softball Tournament; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco commends and thanks Dwayne Kinner on the occasion of the 20th Anniversary of the Workers' Children's Fund Softball Tournament for his hard work towards and dedication to enriching the lives of San Francisco's foster children.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090426 **Date Passed:**

Resolution commending and thanking Dwayne Kinner on the occasion of the 20th Anniversary of the Workers' Children's Fund Softball Tournament and for his hard work towards and dedication to enriching the lives of San Francisco's foster children.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090426

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090425 RESOLUTION NO. 140-09

[Condolences to the people of Italy and those affected by the L'Aquila earthquake]

Resolution extending condolences and greatest sympathy to the people of Italy and those affected by the L'Aquila earthquake.

WHEREAS, On April 6, 2009, a 6.3 magnitude earthquake hit Italy, the worst earthquake in that country in three decades; and

WHEREAS, The L'Aquila earthquake has devastated the City of L'Aquila and 26 neighboring towns and cities; and,

WHEREAS, According to the latest reports, more than 200 lives have been lost, and many structures, including Romanesque, Gothic, Baroque and Renaissance architectural treasures, modern buildings, old churches and parts of medieval buildings have been damaged and leveled; and,

WHEREAS, Residents of San Francisco and the Bay Area have family, friends and other loved ones who have been severely impacted by the earthquake; now, therefore, be it

RESOLVED, That the City and County of San Francisco hereby extends its condolences and greatest sympathy to the people of Italy and those affected by earthquake; and, be it

FURTHER RESOLVED, That the City and County of San Francisco supports the relief efforts established for Italy as a result of this natural disaster.

Supervisor Alioto-Pier, Campos
BOARD OF SUPERVISORS

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City and County of San Francisco

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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090425 **Date Passed:**

Resolution extending condolences and greatest sympathy to the people of Italy and those affected by the L'Aquila earthquake.

April 14, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090425

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Lallenger
for Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090428 RESOLUTION NO. 141-09

[Condemning the persecution and murders of Lesbian Gay Bisexual Transgender (LGBT) Iraqi Citizens]

Resolution calling on the U.S. Department of State to use all diplomatic channels to work with the Iraqi Government to stop the persecution of Iraqi Lesbian Gay Bisexual Transgender (LGBT) citizens and immediately stop the murders of Iraqi LGBT citizens.

WHEREAS, Over the past two weeks, 6 men have been murdered in Iraq for being Gay; and

WHEREAS, In the most recent attack, two men were killed in Sadr City area of Baghdad after they were disowned by relatives; and,

WHEREAS, Residents of Sadr City reported that the bodies of the two men aged 16 and 18 were found on waste ground on the outskirts of Sadr City, and that several days previously the two men had been dumped in the street with their arms and legs broken; and

WHEREAS, The shootings came after a tribal meeting was held and the tribal members decided to go kill the victims; and,

WHEREAS, On March 26, four additional men were fatally shot in Sadr City after the victims had also been disowned by their relatives; and,

WHEREAS, Two of the bodies, found on Thursday, had pieces of paper attached to them on which was written the word 'Pervert;' and

WHEREAS, In addition to the murders, a cafe frequented by Iraqi LGBT citizens was firebombed in hopes of intimidating Iraqi LGBT citizens; now, therefore, be it

**Supervisor Dufty, Campos, Avalos , Mirkarimi
BOARD OF SUPERVISORS

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RESOLVED, That San Francisco Board of Supervisors call on the U.S. Department of State to use all diplomatic channels to stop the persecution of Iraqi LGBT citizens and immediately stop the murders of Iraqi LGBT citizens; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors forwards this resolution to the U.S. Secretary of State and the State Department's Iraq Desk and the Congressional Delegation that represents the City and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090428 **Date Passed:**

Resolution calling on the U.S. Department of State to use all diplomatic channels to work with the Iraqi Government to stop the persecution of Iraqi Lesbian Gay Bisexual Transgender (LGBT) citizens and immediately stop the murders of Iraqi LGBT citizens.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090428

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

[Approve SFPUC Sunol Valley Construction Management Contract.]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, with CH2MHill, for an amount not to exceed $16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118.

WHEREAS, It is necessary to procure the services of a qualified Construction Management firm to provide specialized construction management services to supplement SFPUC staff through the Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, which includes Construction Management Services for Sunol Valley Regional Projects, and

WHEREAS, The estimated cost of services is up to $16,000,000, subject to the San Francisco Public Utilities Commission's (SFPUC) subsequent consideration and action on the proposed projects within the Sunol Valley Region, pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, The request for proposals was advertised on October 2, 2008; and

WHEREAS, The duration of the agreement is up to 60 months, with services anticipated to begin in April 2009 and end in April 2014, if the SFPUC approves all of the proposed projects; and

WHEREAS, CH2MHill was the highest-ranking proposer for CS-915R; and

WHEREAS, An HRC sub-consulting goal of 16% LBE participation has been established and approved for this agreement by the HRC Contract Compliance Officer assigned to the SFPUC; and

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WHEREAS, Funds for this agreement will be available at the time of award of the agreement from Sunol Valley Regional Projects, including the Alameda Creek Fishery Enhancements (CUW35201), Alameda Siphon #4 (CUW35902), San Antonio Pump Station Upgrades (CUW38601), SVWTP Expansion & Treated Water Reservoir (CUW38101), and San Antonio Backup Pipeline (CUW 37403) and

WHEREAS, SFPUC Resolution No. 09-0038 approved the selection of CH2MHill; awarded Water System Improvement Program-funded Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, to provide construction management services for Sunol Valley Regional Projects; and authorized the General Manager of the SFPUC to negotiate a professional services agreement with CH2MHill for an amount not to exceed $16,000,000, and with a duration of up to 60 months, or, in the event negotiations are not successful or City requirements are not satisfied, to negotiate a professional services agreement with the next highest ranked proposer, provided that expenditures shall be limited to pre-construction activities until such time as the Commission reviews and considers the proposed Projects' CEQA documents and determines whether or not to approve the proposed Projects; and authorized the General Manager to execute the agreement, subject to Board of Supervisors' approval pursuant to Charter Section 9.118; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby approves and authorizes the General Manager of the SFPUC to execute, the Water System Improvement Program-funded Agreement No. CS-915R, Sunol Valley Regional Construction Management Services with CH2MHill for an amount not to exceed $16,000,000, pursuant to Charter Section 9.118, in substantially the form on file with the Clerk of the Board, and in such final form as approved by the General Manager and the City Attorney.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090251 **Date Passed:**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute Water System Improvement Program-funded Professional Service Agreement No. CS-915R, Sunol Valley Regional Construction Management Services, with CH2MHill, for an amount not to exceed $16,000,000 with a term of up to 60 months, pursuant to San Francisco Charter Section 9.118.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090251

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090380 RESOLUTION NO. 143-09

[Accept and Expend Grant - American Recovery and Reinvestment Act of 2009 (ARRA)]

Resolution authorizing the filing of an application for federal American Recovery and Reinvestment Act of 2009 (ARRA) funding, stating the assurance to complete the project, and authorizing the Director of Public Works to accept and expend federal grant funds.

WHEREAS, The Department of Public Works (DPW) has submitted an application to the Metropolitan Transportation Commission (MTC) for up to $13.03 million in funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA) for Local Street and Road (LS&R) rehabilitation projects eligible for the MTC Regional ARRA Program (MTC Resolution No. 3885); and

WHEREAS, The Tier 1 programming of $11.35 million shall include the following projects: Jones Street Pavement Renovation; Turk Street Pavement Renovation; Divisadero Street Pavement Renovation; 7th Avenue and Laguna Honda Boulevard Pavement Renovation; and Geary Boulevard Intersections Paving; and

WHEREAS, The Tier 2 programming of $1.68 million shall include the following project: Bush Street Pavement Renovation; and

WHEREAS, Should additional programming capacity become available, DPW has a contingency list of STP-eligible projects that could meet the obligations/award deadlines for the MTC Regional ARRA Program; and

WHEREAS, The MTC Regional ARRA timely use of funds deadlines require that

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agencies obligate funds by May 31, 2009 and award contracts by September 30, 2009; and

WHEREAS, Pursuant to ARRA, and any regulations and/or guidance promulgated thereunder, eligible project sponsors wishing to receive Regional ARRA funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, The Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, DPW submitted a list of Tier 1, Tier 2 and Contingency projects to the San Francisco County Transportation Authority; and

WHEREAS, The San Francisco County Transportation Authority, on behalf of the City and County of San Francisco, submitted a list of recommended projects to MTC for a request totaling $13.03 million in Regional ARRA funds; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) applicable to federal ARRA fund delivery and has adopted in MTC Resolution No. 3885 such additional requirements as are necessary or appropriate to meet the obligations/award deadlines in the ARRA; and

WHEREAS, DPW is an eligible project sponsor for ARRA funds; and

WHEREAS, The ARRA funds will cover 100 percent of eligible costs as defined by the Federal Highway Administration and administered by Caltrans; and,

WHEREAS, MTC requires a resolution adopted by the responsible implementing agency; and

WHEREAS, DPW understands that the ARRA funding is fixed at the programmed

amount, and therefore any cost increase cannot be expected to be funded with additional ARRA or other MTC-programmed funds; and

WHEREAS, The projects will comply with the procedures specified in MTC's Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and with all project-specific requirements as set forth in MTC's Regional ARRA Program (MTC Resolution No. 3885); and projects as described in the application, and if approved, as included in MTC's TIP; and

WHEREAS, The projects will comply with all the project-specific requirements as set forth in the federal ARRA and appropriate applicable regulations or guidance; now, therefore be it

RESOLVED, That DPW is authorized to execute and file an application for funding under the American Recovery and Reinvestment Act of 2009 for LS&R rehabilitation projects that shall include Jones Street Pavement Renovation; Turk Street Pavement Renovation; Divisadero Street Pavement Renovation; 7th Avenue and Laguna Honda Boulevard Pavement Renovation; Geary Boulevard Intersections Paving; Bush Street Pavement Renovation; or other STP-eligible contingency projects that meet the obligations/award deadlines for the MTC Regional ARRA Program; and be it

FURTHER RESOLVED, That DPW understands that the ARRA funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by DPW from other funds, and that DPW does not expect any cost increases to be funded with additional ARRA or MTC-programmed funds; and be it

FURTHER RESOLVED, That DPW understands the funding deadlines associated with

these funds and will comply with the applicable provisions and requirements of the Regional ARRA Program (MTC Resolution No. 3885) and Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and be it

FURTHER RESOLVED, That the projects will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and be it

FURTHER RESOLVED, That the projects will comply with all the project-specific requirements as set forth in the ARRA and appropriate applicable regulations or guidance; and be it

FURTHER RESOLVED, That there is no legal impediment to DPW making applications for the funds; and be it

FURTHER RESOLVED, That there is no pending or threatened litigation that might in any way adversely affect the proposed projects, or the ability of DPW to deliver such projects; and be it

FURTHER RESOLVED, That DPW is authorized to execute and file an application with MTC for ARRA funding for the projects as referenced in this resolution; and be it

FURTHER RESOLVED, That the Director of Public Works or his or her designee is authorized to execute all documents pertaining to the project with Caltrans; and be it

FURTHER RESOLVED, That this Board of Supervisors does hereby authorize the Director of Public Works to accept and expend up to $13.03 million in funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA); and be it

FURTHER RESOLVED, That a copy of this resolution will be transmitted to the MTC in

conjunction with the filing of the application; and be it

FURTHER RESOLVED, That the MTC is requested to support the application for the projects described in the resolution and to include the projects, if approved, in MTC's TIP.

Recommended:

Edward Reiskin
Director of Public Works

Approved _____
Mayor

Approved _____
for Controller

Mayor Newsom
BOARD OF SUPERVISORS

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090380 **Date Passed:**

Resolution authorizing the filing of an application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) funding, stating the assurance to complete the project, and authorizing the Director of Public Works to accept and expend Federal grant funds.

April 14, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090380

I hereby certify that the foregoing Resolution was ADOPTED on April 14, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

4/23/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090355 RESOLUTION NO. 144-09

[Concurring with the Airport Commission's Declaration of Emergency Pursuant to Sec. 6.60 of the San Francisco Administrative Code and approving the contract between the Airport Commission and Ghiloti Brothers for the purchase of two hot water boilers.]

Resolution concurring with the Airport Commission's Declaration of Emergency in response to the boiler failure at the Airport and approving a contract between the Airport Commission and Ghiloti Brothers for the purchase of two new boilers.

WHEREAS, On December 23, 2008, one of the primary boilers in the Central Plant at San Francisco International Airport failed and has been decommissioned; and

WHEREAS, The aged, deteriorating condition of the remaining boilers necessitates the immediate replacement of the failed one and an unreliable backup unit in order that the traveling public be provided with heat and hot water during the winter months of 2009-2010; and,

WHEREAS, The normal design and contracting process for the purchase and installation of a major boiler can require up to twenty months in duration; and,

WHEREAS, An Energy Efficiency Audit completed by the San Francisco Public Utilities Commissions found that replacing boilers at the Airport's Central Plant with two new energy efficient boilers would both save energy and meet the Bay Area Air Quality District's new emission standards; and,

WHEREAS, The Airport Commission's Declaration of Emergency, on file with the Clerk of the Board of Supervisors in File No. 090355, which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That recognizing the need for a new boiler to be in place for the winter of 2009-2010 and the new emission requirements enacted by the Bay Area Air Quality Board, this Board of Supervisors does hereby concur with the Airport Commission's Declaration of

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Emergency for the purchase of two replacement boilers and approves the contract between the Airport Commission and Ghiloti Brothers for the purchase of said boilers.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090355 **Date Passed:**

Resolution concurring with the Airport Commission's Declaration of Emergency in response to the boiler failures at the Airport and approving a contract between the Airport Commission and Ghiloti Brothers for the purchase of two new boilers.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090355

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

[Resolution congratulating President Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City in El Salvador, Santa Tecla.]

Resolution congratulating President Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City, Santa Tecla.

WHEREAS, The ARENA party has controlled the executive branch of government of El Salvador since the signing of Peace Accords in 1992, which ended a civil war that left 70,000 dead; and

WHEREAS, Because of a history of electoral fraud, it was necessary for more than 4,000 international election observers to go to El Salvador during the 2009 presidential elections to ensure free and fair participation; and

WHEREAS, The historic election of Mauricio Funes of the Farabundo Martí National Liberation (FMLN) party on March 15, 2009 as President of El Salvador represents an end to decades of injustice and oppression, beginning a new political for El Salvador; and

WHEREAS, More than 3.2 million Salvadorans live in the U.S. and more than 40,000 live in the San Francisco Bay Area alone; and

WHEREAS, Salvadoran immigrants have contributed to the area's economic growth and cultural diversity; and

WHEREAS, A delegation from San Francisco was among a group of 4,000 international election observers that participated in the monitoring of El Salvador's 2009 presidential election; and

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WHEREAS, Through the efforts of then Supervisor Tom Ammiano, San Francisco established a Sister City relationship with the City of Santa Tecla in El Salvador in 2001; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors congratulates President Elect Mauricio Funes in his electoral victory; and now, therefore, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco is interested in strengthening its relationship with its Sister City, Santa Tecla, for the benefit and in recognition of Salvadoran immigrants and Salvadoran Americans living in San Francisco.

City and County of San Francisco

Tails

Resolution

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090464 **Date Passed:**

Resolution congratulating President-Elect Mauricio Funes of El Salvador and encouraging further collaboration and solidarity with San Francisco's Sister City, Santa Tecla.

April 21, 2009 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090464

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Lulbengay
for Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: May 1, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090464

FILE NO. 090466 RESOLUTION NO. 146-09

[Taxi Medallion Fees.]

Resolution urging the SFMTA to examine and consider taxicab medallion fees.

WHEREAS, The San Francisco Municipal Transportation Agency (SFMTA) is facing a $129 million deficit, in the context of an unprecedented budget shortfall confronting the City and County of San Francisco for the 2009-2010 fiscal year; and

WHEREAS, After assuming jurisdiction over the taxi industry in March 2009, SFMTA has asked the taxi industry to contribute between $5 and $20 million to close the budget gap; and,

WHEREAS, The primary policy option under consideration for this industry contribution is to make taxi medallions transferable in the private sector through the auctioning of taxi medallions, which would raise one-time revenues for the City; and,

WHEREAS, SFMTA has not adequately explored an alternative to generate significant revenues from the taxi industry -- a "rental fee" on City-owned medallions, which would create a continuous, long-term revenue stream for the SFMTA, the City and the taxi industry; and,

WHEREAS, New York City's experience auctioning medallions has raised concerns that medallion ownership would consolidate among large companies and discourage competition, rather than distribute medallion ownership among drivers; and,

WHEREAS, In its "Making Taxi Service Work in San Francisco" report on potential reforms to the taxi system, the San Francisco Planning and Urban Research Association (SPUR) concluded that a system of non-transferable medallions is critical to improving the quality of taxi service; and

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WHEREAS, Ongoing revenue generated from a medallion rental fee structure could be used to help finance much-needed customer service improvements, such as a centralized dispatch system, and assistance to drivers who lack health and retirement benefits; and

WHEREAS, Current and former SFMTA commissioners, SFMTA staff, staff of the former Taxi Commission, voters in San Francisco who previously voted down 8 propositions to amend Prop K and make medallions transferable, the United Taxi Workers, San Francisco Taxi Cab Company, Green Cab, the Asian Law Caucus, and a majority of non-medallion holding and medallion-holding drivers have expressed significant concerns about a medallion auction system; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the SFMTA to examine and consider the policy and budgetary alternative of a medallion rental fee, as the SFMTA prepares to present its balanced budget proposal to the Board by May 1st, 2009.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090466 **Date Passed:**

Resolution urging the San Francisco Municipal Transportation Agency to examine and consider taxi medallion fees.

April 21, 2009 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090466

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: May 1, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090466

Amended in Committee. 4/13/09

FILE NO. 090326 RESOLUTION NO. 147-09

[Accept and Expend DWR Grant Funds]

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a California Department of Water Resources Grant in the amount of $517,500.

WHEREAS, San Francisco Public Utilities Commission (SFPUC) staff participated in a regional grant application to the California Department ~~or~~ of Water Resources (DWR) for a Regional High-Efficiency Clothes Washer Rebate program; and

WHEREAS, Zone 7 Water Agency (Zone 7) is the Contracting Agency responsible for signing the grant agreement with DWR and disbursing grant funds to grant participants in accordance with the Grant Agreement; and,

WHEREAS, the SFPUC's share of the grant is $517,500; and,

WHEREAS, Funding for the required matching funding is available from the FY 08-09 and proposed 09-10 Water Enterprise Operating Budget; and

WHEREAS, This grant does not include an Annual Salary Ordinance (ASO) Amendment; and

WHEREAS, The San Francisco Public Utilities Commission on February 10, 2009, adopted resolution no. 09-0029 authorizing the General Manager to request permission from the Board of Supervisors to retroactively accept and expend DWR grant funds; now, therefore, be it

RESOLVED, That the General Manager of the San Francisco Public Utilities Commission, or designee, is authorized to retroactively accept and expend grant funds totaling ~~$515,700~~ $517,500 from the California Department of Water Resources, through the Contracting Agency Zone 7, for the aforementioned project and to execute all required agreements; and, be it

Supervisor Maxwell
BOARD OF SUPERVISORS

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FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget.

Recommended: _____
Department Head

Approved: _____
for Mayor

Approved: _____
for Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090326 **Date Passed:**

Resolution authorizing the San Francisco Public Utilities Commission to retroactively accept and expend a California Department of Water Resources Grant in the amount of $517,500.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090326

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090472 RESOLUTION NO. 148-09

[Commending Neil G. Giuliano for his success as the President and voice of GLAAD]

Resolution commending Neil G. Giuliano for his Dedication and Service as the President of the Gay and Lesbian Alliance Against Defamation.

WHEREAS, Neil G. Giuliano has dedicated the past four years as President of the Gay and lesbian Alliance Against Defamation (GLAAD), one of the largest national lesbian, gay, bisexual and transgender organizations in the US; and,

WHEREAS, Neil Giuliano has worked tirelessly to promote the mission of GLAAD ensuring fair, accurate and inclusive representation of LGBT people and events in the media as a means of eliminating homophobia and discrimination based on gender identity and sexual orientation; and,

WHEREAS, under Neil Giuliano's leadership, GLAAD's work has led to increased visibility and a fundamental shift in the portrayal of LGBT characters in the media as well as the inclusion of more positive LGBT characters on broadcast television than ever; and,

WHEREAS, in 2008, the 19th Annual GLAAD Media Awards were aired on a major television network, providing more than 84 million Americans fair and inclusive images of the LGBT community; and,

WHEREAS, Neil Giuliano has led GLAAD's Media Programs Department to include advocacy efforts in the world Sports, Young Adult and Religion, Faith and Value as well as acquiring Queer Lounge to promote LGBT and LGBT-friendly media projects at independent film festivals; and,

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WHEREAS, with Neil Giuliano's guidance, GLAAD has positively increased it's budget more than 50% to over $10 million dollars to support more projects to advocate its message of inclusion, and,

WHEREAS, while Neil Giuliano served as president, GLAAD won major victories in its quest for equality in the coverage of LGBT-related issues in the news, including the Associated Press' stylistic adjustment in its journalistic reporting of GLBT stories as well as GLAAD's launching of the largest Public Service Announcement campaign in LGBT history; now therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends the service, dedication and guidance of Neil G. Giuliano for the last four years as the president of the Gay and Lesbian Alliance Against Defamation.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090472 **Date Passed:**

Resolution commending Neil G. Giuliano for his dedication and service as the President of the Gay and Lesbian Alliance Against Defamation (GLAAD).

April 21, 2009 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090472

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

[Resolution denouncing immigration raids and supporting comprehensive immigration reform.]

Resolution acknowledging immigrant contributions, denouncing Immigration and Customs Enforcement (ICE) raids, and supporting comprehensive immigration reform focused on family unity, worker justice, civil rights and a path to legalization.

WHEREAS, Today, more than a third of San Francisco residents are foreign born, coming from countries such as China, the Philippines, Russia, Ireland, Mexico, El Salvador, Vietnam, Ethiopia, Iran and India; and

WHEREAS, The City and County of San Francisco acknowledges the vast contributions of immigrants to our state and to our city; and

WHEREAS, Immigrants comprise more than one-third of the California labor force. They figure prominently in key economic sectors such as agriculture, manufacturing and services; and

WHEREAS, Immigrants are among California's most productive entrepreneurs, and have created jobs for tens of thousands of Californians. By 2000, immigrant owners of Silicon Valley companies had created 72,839 jobs and generated more than $19.5 billion in sales, according to the California Immigrant Policy Center. Google, Sun Microsystems, eBay, and Yahoo! are all companies that were founded or co-founded by immigrants; and

WHEREAS, Immigrants bring a wealth of language diversity to California's global affairs and economy. 43% of Californians speak a language other than English at home. Throughout California, immigrants speak more than 250 languages; and

WHEREAS, Despite the many contributions made by immigrants, the U.S. continues to operate with a broken immigration system that prioritizes punitive enforcement measures over family reunification, worker justice, civil rights and legalization, and

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WHEREAS, In 2003, the Department of Homeland Security launched Operation Endgame, an enforcement measure to deport the estimated 12 million undocumented immigrants in the U.S.; and

WHEREAS, Workplace raids, in particular, have surged in the last few years. In Fiscal Year 2006-2007, the Bureau of Immigration and Customs Enforcement (ICE) arrested 4,000 people in workplace raids. This figure represents an astounding 800 percent increase from 2003, when agents arrested fewer than 500 people; and

WHEREAS, ICE agents increasingly have gone door-to-door looking for immigrants with deportation orders, using the pretext of a warrant for one undocumented immigrant to arrest many others; and

WHEREAS, In 2008, San Francisco experienced the greatest surge in immigration raids, impacting local businesses like Taqueria El Balazo and households in San Francisco's Visitation Valley, Mission, Bayview, Nob Hill, and Tenderloin neighborhoods; and

WHEREAS, ICE raids tear families apart, spread fear, hurt local businesses, and break down communities; and

WHEREAS, Immigrant families typically live in mixed-immigration status households. Studies estimate that between 3.1 million and 5 million children – who are U.S. citizens – are living with at least one undocumented immigrant parent; and

WHEREAS, These children cannot be deported, but having their parents rounded up by immigration authorities leaves them vulnerable to family separation, economic hardship, and psychological trauma; and

WHEREAS, The San Francisco Board of Supervisors has a long history of denouncing immigration raids. On May 24, 1999, the San Francisco Board of Supervisors passed Resolution 0515-99 declaring San Francisco an Immigration and Naturalization Services (INS) Free Zone. On February 27, 2007, the San Francisco Board of Supervisors passed

Resolution 0085-07 condemning ICE Raids, opposing guest worker programs and supporting legalization programs for immigrants. On June 5, 2007, the San Francisco Board of Supervisors passed Resolution 0304-07 urging the federal government to declare a moratorium on ICE raids; and

WHEREAS, On February 14, 2007, Mayor Gavin Newsom issued a statement raising concerns about the public safety implications of immigration raids; and

WHEREAS, Speaker of the House Nancy Pelosi, San Francisco's Congressional representative, has been critical of ICE raids and their impact on San Francisco families; now, therefore, be it

RESOLVED, That the Board of Supervisors denounces ICE raids and their impact on San Francisco communities; and, be it

FURTHER RESOLVED, That the Board of Supervisors encourages President Barack Obama and the U.S. Congress to develop a comprehensive immigration reform bill that prioritizes family unity, worker justice, civil rights and legalization over misguided enforcement strategies; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to send a copy of this resolution to President Barack Obama and the San Francisco Congressional delegation.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090465 **Date Passed:**

Resolution acknowledging immigrant contributions, denouncing Immigration and Customs Enforcement (ICE) raids, and supporting comprehensive immigration reform focused on family unity, worker justice, civil rights and a path to legalization.

April 21, 2009 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090465

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

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FILE NO. 090256 MAY 20 2009 RESOLUTION NO. 150-09

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[Agreement to Purchase an Access and Communication Easement in Tuolumne County]

Resolution approving and authorizing an agreement for the purchase of a perpetual, nonexclusive easement for access and installation of communications equipment in Tuolumne County (the "Easement"), for a purchase price of $9,600, to facilitate and implement the project to upgrade the Hetch Hetchy Communications System; adopting environmental findings and findings under San Francisco Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

WHEREAS, The San Francisco Public Utilities Commission ("SFPUC") developed a project description for the improvement of the Hetch Hetchy communications system, otherwise known as Project No. CUH93101 (the "Project"); and,

WHEREAS, The objectives of the Project are to comply with FCC requirements to vacate the 2 GHz band; to replace and update aged and obsolete components of the communication system; to add new critical communication sites to the system; to provide the foundation infrastructure to allow for the option of separate or integrated communications for Hetch Hetchy Water & Power, the National Park Service and the United States Forest Service in the future; to provide opportunities to improve the communication reliability for the prospective health and safety of staff and for emergency response; and to provide the foundation infrastructure to enable improvements to be made for communication reliability for dam and facility security in the future; and,

WHEREAS, A Draft Mitigated Negative Declaration (MND) for the Project was prepared and published for public review on October 2, 2007; and,

WHEREAS, Public comments on the Draft MND were received between October 2, 2007 and November 2, 2007; and,

WHEREAS, On April 1, 2008, the Planning Department reviewed and considered the Final MND in Planning File No. 2005.0883E and found that the contents of the Final MND and the procedures through which the Final MND was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines in Chapter 31 of the San Francisco Administrative Code ("Chapter 31") and found further that the Final MND was adequate, accurate and objective, reflected the independent analysis and judgment of the Department of City Planning and the Planning Commission, and that the proposed Project was consistent with the project description contained in the Final MND and would not result in significant impacts not identified in the Final MND or cause significant effects already identified in the Final MND to be substantially more severe; and,

WHEREAS, The SFPUC reviewed and considered the information contained in the Final MND, all written and oral information provided by the Planning Department, the public, relevant public agencies, SFPUC and other experts and the administrative files for the Final MND; and,

WHEREAS, On April 22, 2008, at a public meeting of the SFPUC, the Commission adopted Resolution No. 08-0073 ("SFPUC Project Approval Resolution"), a copy of which is on file with the Clerk of the Board of Supervisors under File No. 090256, in which the SFPUC: (1) adopted the Final MND and adopted the Mitigation Monitoring and Reporting Program ("MMRP") (Exhibit C to the SFPUC Project Approval Resolution); and (2) approved the Project and authorized staff to proceed with actions necessary to implement the Project, which SFPUC Project Approval Resolution and attachments are incorporated herein by reference; and,

WHEREAS, The SFPUC Project Approval Resolution is on file with the Clerk of the Board of Supervisors in File No. 090256 and is incorporated herein by reference; the Board of Supervisors has had the opportunity to review and consider the Final MND and the administrative record, which is located at the Planning Department at 1650 Mission Street, Suite 400, in File No. 2005.0883E; and,

WHEREAS, The Agreement as approved herein is consistent with the Project description contained in the Final MND; there is no new information of substantial importance that would suggest that the Project would result in significant impacts not identified in the Final MND or cause significant effects already identified in the Final MND to be substantially more severe; and,

WHEREAS, The SFPUC Project Approval Resolution included findings (Exhibit A to the SFPUC Project Approval Resolution) regarding the Project's potential environmental effects, the sufficiency of mitigation measures and the responsibility for implementing mitigation measures as set forth in the MMRP; and,

WHEREAS, The SFPUC has adopted the mitigation measures identified in the SFPUC CEQA findings, including implementation and monitoring thereof; and,

WHEREAS, The Board of Supervisors has reviewed and considered the SFPUC Project Approval Resolution made with respect to the approval of the Project, and the record as a whole in exercising its independent analysis and judgment with respect to the Easement for this Project; and,

WHEREAS, On December 9, 2008, at a public meeting of the SFPUC, the Commission (A) reviewed and considered the Final MND and reaffirmed the findings and the MMRP adopted in the SFPUC Project Approval Resolution; and (B) further found there is no substantial evidence that the proposed Project, given the implementation of the mitigation measures, could have a significant effect on the environment as shown in the

analysis of the Final MND, and further found that since the MND was finalized, there have been no substantial Project changes and no substantial changes in Project circumstances that would require major revisions to the Final MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, the acquisition of the Easement will not require revisions to the Final MND due to the involvement of new significant environmental effects or substantially increase in the severity of previously identified significant effects, and there is no new information of substantial importance that would change the conclusions set forth in the Final MND; and (C) adopted Resolution No. 08-0228, a copy of which is on file with the Clerk of the Board of Supervisors under File No. 090256, approving the purchase of this 50' wide and approximately 5,133' long Easement in Tuolumne County for road and utility line purposes, for $9,600, to facilitate and implement the Project; and,

WHEREAS, A copy of the Agreement of Purchase and Sale of Real Estate (the "Agreement") between the City, as Buyer, and Sierra Pacific Industries, as Seller, for the purchase of the Easement is on file with the Clerk of the Board of Supervisors under File No. 090256; and,

WHEREAS, Although an independent MAI appraisal was prepared in August 2007, which valued the Easement at $5,900, a negotiated settlement has been reached at $9,600, which the Director of Property believes is a fair and reasonable settlement; and,

WHEREAS, The Director of Planning, by letter dated June 8, 2007, found that the acquisition of the Easement contemplated by the Agreement, is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1, which letter is on file with the Clerk of the Board of Supervisors under File No. 090256, and which letter is incorporated herein by this reference; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby finds that the Agreement is consistent with the General Plan and with the Eight Priority Policies of City Planning Code Section 101.1 for the same reasons as set forth in the letter of the Director of Planning dated June 8, 2007, and hereby incorporates such findings by reference as though fully set forth in this resolution; and, be it

FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered SFPUC Resolution No. 08-0073 authorizing the Project, and hereby adopts that SFPUC Project Approval Resolution as its own with respect to the Project, including the MMRP and adopts the MND; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby finds there is no substantial evidence that the proposed Project, given the implementation of the mitigation measures, could have a significant effect on the environment as shown in the analysis of the Final MND, and further finds that since the MND was finalized, there have been no substantial Project changes and no substantial changes in Project circumstances that would require major revisions to the Final MND due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, the acquisition of the Easement will not require revisions to the Final MND due to the involvement of new significant environmental effects or substantially increase in the severity of previously identified significant effects, and there is no new information of substantial importance that would change the conclusions set forth in the Final MND; and, be it

FURTHER RESOLVED, That in accordance with the recommendations of the SFPUC and the Director of Property, the Board of Supervisors hereby approves the Agreement and the transaction contemplated thereby in substantially the form of such Agreement presented to this Board; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to the Agreement are hereby approved and ratified; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the General Manager of the SFPUC and/or the Director of Property to execute and deliver the Agreement to Sierra Pacific Industries, and to perform all acts required of the City thereunder; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the General Manager of the SFPUC and/or the Director of Property to enter into any additions, amendments or other modifications to the Agreement (including, without limitation, the attached exhibits) that the General Manager of the SFPUC or the Director of Property determines, in consultation with the City Attorney, are in the best interest of the City, that do not increase the purchase price for the Easement or otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to complete the transaction contemplated in the Agreement and effectuate the purpose and intent of this Resolution, and are in compliance with all applicable laws, including the City's Charter; and, be it

FURTHER RESOLVED, That the Director of Property is hereby authorized and urged, in the name and on behalf of the City and County, to accept the deed to the Easement from the Seller upon the closing in accordance with the terms and conditions of the Agreement, and to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, notices, consents, escrow instructions, closing documents and other instruments or documents) as the Director of Property deems necessary or appropriate in order to consummate the purchase of the Easement pursuant to the Agreement, or to otherwise effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property of any such documents.

RECOMMENDED:

Amy L. Brown
Director of Property

$11,000 Available

(includes escrow fees)

Controller

Appropriation:
5T-ACP-CUH964
Watershed Property Purchases

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090256 **Date Passed:**

Resolution approving and authorizing an agreement for the purchase of a perpetual, nonexclusive easement for access and installation of communications equipment in Tuolumne County (the "Easement"), for a purchase price of $9,600, to facilitate and implement the project to upgrade the Hetch Hetchy Communications System; adopting environmental findings and findings under San Francisco Planning Code Section 101.1; and authorizing the Director of Property and/or the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090256

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

151-09

FILE NO. 090331 RESOLUTION NO.

[Accept-Expend Private Grant – Back on Track Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $111,998 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for fiscal year 2008-2009 and 2009-2010.

WHEREAS, The City and County of San Francisco desires to establish a certain project designated the Back on Track Re-entry Program to be funded in part from funds made available through the San Francisco Foundation; and

WHEREAS, The grant does not require an ASO amendment; and

WHEREAS, The Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the District Attorney of the City and County of San Francisco to accept and expend funds from the San Francisco Foundation for the purposes of re-entry program purposes; and be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the District Attorney is authorized to execute on behalf of the City and County of San Francisco the necessary Grant Award Agreements for re-entry program purposes, including any extensions, augmentations or amendments thereof; and be it

FURTHER RESOLVED, That the District Attorney is authorized and empowered to execute, deliver and perform, in the name of the City and County of San Francisco, all applications, contracts, agreements, amendments and payment requests necessary for the

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purpose of securing Re-entry Program grant funds and to implement and carry out the purposes specified in the applicable grant application; and be it

FURTHER RESOLVED, That any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and that the grant recipient and the authorizing agency will hold the San Francisco Foundation harmless from any claims that may arise from the use of grant funds.

APPROVED:
Office of the District Attorney

per Kamala D. Harris

Kamala D. Harris

APPROVED:
Office of the Controller

By: _____

for Ben Rosenfield

APPROVED:
Office of the Mayor

By: _____

Gavin Newsom

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090331 **Date Passed:**

Resolution authorizing the Office of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $111,998 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for fiscal year 2008-2009 and 2009-2010.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090331

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

Amended in Committee. 4/13/09

FILE NO. 090322 RESOLUTION NO. 152-09

[Accept & expend grant – Funding the Healthy San Francisco program evaluation.]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $250,000 from the California Endowment to fund the Healthy San Francisco program evaluation; for the period of ~~January 1, 2009~~ February 2, 2009 through July 31, 2010.

WHEREAS, The California Endowment awarded DPH $250,000 to fund an evaluation of the Healthy San Francisco program, for the period of ~~January 1, 2009~~ February 2, 2009 through July 31, 2010; and,

WHEREAS, Funds provided under this grant will be used to conduct an evaluation of Healthy San Francisco, a universal health access program that provides comprehensive health services to uninsured, adult San Francisco residents who are ineligible for public health insurance; and,

WHEREAS, This project budget includes $221,250 in contractual services to conduct the program evaluation; and,

WHEREAS, As a condition of receiving the funds the California Endowment requires DPH to enter into a Grant Agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 090322, which is hereby declared to be a part of this resolution as if set forth fully within; and,

WHEREAS, Due to the size of this project, this grant is one of several that will fully fund a 3-year evaluation of the Healthy San Francisco program; and,

WHEREAS, DPH has allocated $250,000 in matching funds, which while not required by the funder, illustrates the City's commitment to this project; and,

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WHEREAS, An ASO amendment is not required because funds are not used for staffing purposes; and,

WHEREAS, The budget includes a provision for indirect costs of $3,750; and,

WHEREAS, A request for retroactive approval is being sought because the award letter and agreement was not sent to DPH until February 2, 2009; now therefore, be it

RESOLVED, That DPH is hereby authorized to accept and expend retroactively a grant from the California Endowment in the amount of $250,000, for the period of ~~January 1, 2009~~ February 2, 2009 through July 31, 2010; and, be it

FURTHER RESOLVED, That DPH is hereby authorized to retroactively accept and expend the grant funds pursuant to San Francisco Administrative Code section 10.170-1; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the agreement on behalf of the City.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

for Nani Colombetto
Office of the Mayor

for Office of the Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090322 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $250,000 from the California Endowment to fund the Healthy San Francisco program evaluation; for the period of February 2, 2009, through July 31, 2010.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090322

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Angela Calvillo
Clerk of the Board

5/1/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090342

Amendment of the whole
in committee. 04/13/09

RESOLUTION NO. 153-09

[Resolution recognizing freshwater as a human right and the importance of access to safe drinking water for all]

Resolution recognizing freshwater as a human right and the importance of access to safe drinking water for all.

WHEREAS, The 1992 United Nations Conference on Environment and Development established March 22 as World Water Day to promote the international observance of freshwater as a human right for all persons; and

WHEREAS, Freshwater is fundamental for life, a finite natural resource, and belongs to the earth and all species for all time; and

WHEREAS, Available freshwater represents less than one-half of the world's total water stock; and

WHEREAS, Global consumption of water is doubling every 20 years, more than twice the rate of human population growth; and

WHEREAS, More than one billion people already lack adequate access to safe drinking water, 2.5 billion people have no access to proper sanitation and more than five million people, mostly children, die each year from water related diseases; and

WHEREAS, Unsustainable practices lead to the destruction of aquifers, falling water tables, and ground and surface water pollution; and

WHEREAS, Indigenous peoples have had waters on which they depend dangerously polluted and exploited; and

WHEREAS, The Indian Ocean earthquake and tsunami in December 2004 aggravated the already overwhelming water crisis and the World Health Organization projects that without

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mobilized and coordinated assistance, there could be as many fatalities from diseases, water borne, as were seen from the actual disaster itself; and

WHEREAS, Current United Nations Millennium Development Goals now call for reducing by one-half the number of those without safe drinking water and sanitation by the year 2015; and

WHEREAS, The United Nations committee on Economic, Social, and Cultural Rights has adopted the General Comment on the right to water, which states that the human right to drinking water is fundamental for life and health, and sufficient and safe drinking water is a precondition for the realization of all other human rights; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors recognizes freshwater as a fundamental and human right for all, the importance of access to sanitation and safe drinking water, and that water management priorities should reflect the goals of preservation and sustainable development of water resources; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors endorses Assembly Bill 1242, which establishes a right to water for basic human needs as a policy of the State of California.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090342 **Date Passed:**

Resolution recognizing freshwater as a human right and the importance of access to safe drinking water for all.

March 24, 2009	Board of Supervisors — REFERRED: City Operations and Neighborhood Services Committee
April 21, 2009	Board of Supervisors — ADOPTED Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell Excused: 1 - Mirkarimi

File No. 090342

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Lulhangas

Angela Calvillo
Clerk of the Board

5/1/09

Date Approved

Mayor Gavin Newsom

Amended in Board
4/21/09

FILE NO. 081282 RESOLUTION NO. 154-09

[Urging City Departments to develop a Home Improvement Plan for the Bayshore Corridor]

Resolution urging the Planning Department, Office of Economic and Workforce Development, ~~and~~ Redevelopment Agency, and the San Francisco Municipal Transportation Agency to develop plans and programs to establish a Green and Sustainable Home Improvement District for the Bayshore Corridor area in Bayview Hunters Point.

WHEREAS, The Bayview Hunters Point Project Area Committee (Bayview PAC), an elected citizen advisory body to the San Francisco Redevelopment Agency, produced a *Community Revitalization Concept Plan* that outlined the vision for redevelopment activities in the Bayview neighborhood. The Bayview PAC approved the Executive Summary of the Concept Plan in 2000; and

WHEREAS, The San Francisco Board of Supervisors adopted a Redevelopment Plan for the Bayview Hunters Point Project in 2006; and,

WHEREAS, The Board of Supervisors adopted amendments to the Bayview Hunters Point Area Plan, which is part of San Francisco's General Plan, in 2006; and,

WHEREAS, The Concept Plan, Redevelopment Plan, and General Plan all discuss the need for enhanced business and employment opportunities throughout the Bayview, and generally call for a mix of commercial and light industrial activity along the Bayshore Boulevard corridor; and,

WHEREAS, The "Bayshore corridor" describes the portion of Bayshore Boulevard roughly from Jerrold Avenue to the I-280 freeway, adjacent to the Bernal Heights district; and,

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WHEREAS, The Board of Supervisors adopted new land use controls for much of the industrial areas in Bayview Hunters Point in 2008. The Planning Department did not, at that time, propose specific controls for the Bayshore corridor, in recognition of the need for further planning in the area; and,

WHEREAS, The area currently hosts a mix of retail, wholesale, and light industrial operations that conduct business in the home improvement sector; and,

WHEREAS, In May 2008, Supervisors Dufty, Maxwell, and Ammiano submitted a letter of inquiry to the Directors of Planning, Redevelopment Agency, Economic and Workforce Development, and the Small Business Commission regarding the creation of a green and sustainable home improvement district along Bayshore Boulevard; and,

WHEREAS, Much of the Bayshore corridor remains zoned M-1 and M-2, the most permissive zoning districts in the City, leaving the area vulnerable to unchecked "big box retail" and unrelated retail activity in general; now, therefore, be it

RESOLVED, That Board of Supervisors supports further planning for the Bayshore corridor, which could include: 1) a public process to further develop the community vision for the corridor presented in previous area-wide plans, 2) a study to identify the market niches for the area, 3) a business attraction plan that promotes opportunities for local businesses, 4) recommendations on appropriate zoning modifications, 5) area-specific design guidelines, 6) a localized public improvements plan, including streetscape and infrastructure enhancements, ~~and~~ 7) a business development and retention program, 8) a plan to generate jobs for the surrounding communities through the establishment of this district, and 9) an assessment of traffic congestion impacts; and, be it

FURTHER RESOLVED, That by utilizing the existing business mix and development opportunity sites in the area, the City should foster an enhanced and revitalized cluster of home improvement activities; and, be it

FURTHER RESOLVED, That by incorporating a sustainable overlay to these home improvement activities, the corridor could become a regional destination for green products and services; and, be it

FURTHER RESOLVED, That the corridor holds the potential for local entrepreneurship and micro-retail activities, and presents the opportunity for collaboration and planning across neighborhood boundaries; and be it

FURTHER RESOLVED, That Board of Supervisors urges the appropriate City agencies, including the Planning Department, Office of Economic and Workforce Development, and Redevelopment Agency to work with the Bayview Hunters Point and Bernal Heights communities in the development of the Bayshore Home Improvement District Plan.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081282 **Date Passed:**

Resolution urging the Planning Department, Office of Economic and Workforce Development, and Redevelopment Agency, and the San Francisco Municipal Transportation Agency to develop plans and programs to establish a Green and Sustainable Home Improvement District for the Bayshore Corridor area in Bayview Hunters Point.

April 21, 2009 Board of Supervisors — AMENDED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

April 21, 2009 Board of Supervisors — ADOPTED AS AMENDED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 081282

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

for Kay Gulbengay

Angela Calvillo
Clerk of the Board

5/1/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090462 RESOLUTION NO. 155-09

[AmeriCorps Week]

Resolution declaring May 9-16, 2009 AmeriCorps Week

WHEREAS, the AmeriCorps national service program has proven to be a highly effective way to engage Americans of all ages and backgrounds in meeting a wide range of community needs and promote the ethic of service and volunteering since its creation in 1994; and

WHEREAS, each year AmeriCorps provides opportunities for citizens across the nation to give back in an intensive way to our communities, our state, and our country; and

WHEREAS, AmeriCorps has strengthened America's independent sector by investing more than $5 billion to support the efforts of tens of thousands of nonprofit, community, educational, and faith-based community groups nationwide; and

WHEREAS, AmeriCorps members last year recruited and supervised more than 1.7 million community volunteers; and

WHEREAS, AmeriCorps members nationwide help to improve the lives of our most vulnerable citizens, strengthen our educational systems, protect our environment, and contribute to our public safety; and

WHEREAS, AmeriCorps members nationwide, in return for their service, have earned more than $1.4 billion in Segal AmeriCorps Education Awards to use to further their own educational advancement at colleges and universities; and

WHEREAS, AmeriCorps Week members, after their terms of service end, remain engaged in our communities as volunteers, teachers, public servants, and nonprofit leaders in disproportionately high levels; and

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WHEREAS, AmeriCorps Week provides an opportune time for the City and County of San Francisco to salute AmeriCorps members for their powerful impact and bring more Americans into service; now, therefore, be it

RESOLVED, That the City and County of San Francisco hereby designates May 9-16, 2009 as AmeriCorps Week in San Francisco, and urges citizens to thank AmeriCorps members for their service and to find ways to give back to their communities.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090462 **Date Passed:**

Resolution declaring May 9 - 16, 2009, AmeriCorps Week.

April 21, 2009 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090462

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090463 RESOLUTION NO. 156-09

[Supporting Aerial Spraying of Pesticide: Inert Ingredients Act]

Resolution urging the City and County of San Francisco to support Senate Bill 759, Aerial Spraying of Pesticide: Inert Ingredients Act

WHEREAS, The Board of Supervisors of the City and County of San Francisco is deeply concerned about the public health and safety risks posed by aerial pesticides

WHEREAS, Aerial pesticide spraying is an outdated, inefficient practice that poses unacceptable exposure and risks; and

WHEREAS, Californians who live and work in communities that are exposed to pesticides—especially aerial pesticides sprayed from a helicopter or plane—face a well-documented risk of developing a broad array of acute and long-term adverse health conditions; and

WHEREAS, more than 500 ingredients that have been classified as inert have also been or are currently also used as active ingredients; and

WHEREAS, Recent research has shown that so-called inert ingredients may increase the toxicity of pesticides to developing nervous systems, cause genetic damage, and disrupt the normal function of hormonal systems; and

WHEREAS, Children, the elderly, pregnant women, and those with compromised immune systems and chronic illness, are more vulnerable to the adverse health effects of pesticide exposure; and

WHEREAS, The U.S. Environmental Protection Agency emphasizes that children are at a greater risk for some pesticides, as their internal organs are still developing and maturing, and their immune systems may provide less natural protection than those of adults; and

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WHEREAS, The elderly and those already ill are especially susceptible to adverse effects from pesticide exposure because of the extra vulnerability of their respiratory systems and lower immune function; and

WHEREAS, The California Department of Pesticide Regulation annual reports of the numbers of people poisoned by aerial pesticide spray exposure does not account for the long-term effects of pesticide exposure, such as cancer and birth defects; and

WHEREAS, The City of San Francisco and the greater Bay Area contain numerous sites where sensitive populations congregate, including schools, hospitals, day care centers, senior citizen centers and residential care homes; and

WHEREAS, The City of San Francisco and the greater Bay Area opposes food production practices that put the residents of any area at risk of aerial pesticide exposure; and

WHEREAS, Senate Bill 759, requires the Office of Environmental Health Hazard Assessment to use prescribed information regarding the effects of pesticides, including inert ingredients, to develop educational material for distribution to physicians and surgeons and to the public, and requires that "inert" ingredients, many of which pose serious health and environmental risks, are disclosed to the public before being applied aerially by a state contractor.

RESOLVED, That the City and County of San Francisco supports and endorses SB 759, The Aerial Spraying of Pesticide: Inert Ingredients Act and urges the California Assembly and Senate to pass SB 759, and urges the Governor to sign SB 759 into law.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090463 **Date Passed:**

Resolution urging the City and County of San Francisco to support Senate Bill 759, Aerial Spraying of Pesticide: Inert Ingredients Act.

April 21, 2009 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090463

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090467 RESOLUTION NO. 157-09

[Urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk.]

Resolution urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk.

WHEREAS, the United States Postal Service Commemorative Stamp Program recognizes a diverse range of American icons with artistic representations on postage stamps; and

WHEREAS, Harvey Milk was the first gay American to be elected to a major political office; and

WHEREAS, Harvey Milk fought for equality for all Americans; and

WHEREAS, Harvey Milk's public service, life and death have inspired countless Americans to embrace their identity; and

WHEREAS, the late San Francisco Supervisor Harvey Milk is an American icon; now, therefore, be it

RESOLVED, that the San Francisco Board of Supervisors urges the United States Postal Service to issue a commemorative stamp in honor of San Francisco Supervisor Harvey Milk.

FURTHER RESOLVED, that it is requested that the Clerk of the Board forward this resolution to the members of the California Congressional delegation.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090467 **Date Passed:**

Resolution urging the United States Postal Service to issue a commemorative stamp in honor of Supervisor Harvey Milk.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090467

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

for Kay Lulbergus
Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

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FILE NO. 090468 RESOLUTION NO. 158-09

[Commending Captain Denis O'Leary for his leadership of Ingleside Station.]

Resolution commending Captain Denis O'Leary for his leadership at Ingleside Station, and his accomplishments increasing public safety.

WHEREAS, Captain Denis O'Leary has been the Captain of San Francisco Police Department Ingleside Station for over fourteen months; and

WHEREAS, station boundaries include a diverse set of safety and citizen challenges from the Mission to Bernal Heights to Noe Valley to Visitacion Valley; and

WHEREAS, Captain O'Leary began his tenure with high expectations because of the high performance of his predecessor, Captain Paul Chignell, and, by all accounts, has done an extraordinary job; and

WHEREAS, the men and women who serve under Captain O'Leary, as well as the neighborhoods he serves, will miss his kindness, honesty, reliability and diligence; and

WHEREAS, Captain O'Leary has demonstrated eagerness, innovation and flexibility in deploying resources and strategies, such as the zone strategy, to improve public safety including significant reductions in the number of robberies, burglaries and shootings; now, therefore, be it

RESOLVED, that the San Francisco Board of Supervisors commends Captain Denis O'Leary for his service to Ingleside Station and the communities encompassed by its boundaries; and, be it

FURTHER RESOLVED, that it is requested that the Clerk of the Board forward this resolution to San Francisco Ingleside Station.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090468 **Date Passed:**

Resolution commending Captain Denis O'Leary for his leadership at the Ingleside Station, and his accomplishments increasing public safety.

April 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Excused: 1 - Mirkarimi

File No. 090468

I hereby certify that the foregoing Resolution was ADOPTED on April 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Angela Calvillo
Clerk of the Board

5/1/09
Date Approved

Mayor Gavin Newsom

[Commending Parents for Public Schools-San Francisco for Ten Years of Service.]

Resolution commending Parents for Public Schools-San Francisco on Ten Years of Service to the Parents, Students and Public Schools of San Francisco.

WHEREAS, Parents for Public Schools-San Francisco has worked ardently for ten years as a network of parents building and ensuring quality public education for all children in San Francisco; and

WHEREAS, Parents for Public Schools-San Francisco has helped bring about change in perceptions of Public Schools through the initiation of San Francisco's first Public School Enrollment Fair, as well as dramatically increasing enrollment in schools with Parent Ambassadors who connect with prospective parents about the benefits of public schools; and

WHEREAS, through its Parent Clubs in the Latino, Chinese and African-American communities, Parents for Public Schools-San Francisco has provided invaluable parent support and developed strong leaders through its Next Steps Leadership Workshops in the Chinatown, Mission and Bayview districts to inform parents about their roles, responsibilities and SFUSD resources; and

WHEREAS, Parents for Public Schools-San Francisco has fostered parent involvement in the Policy Making of San Francisco Schools through its mobilization of voters to pass school-related initiatives such as the Public Enrichment Fund and the Teacher Quality Act; now, therefore be it

RESOLVED, That the San Francisco Board of Supervisors commends Parents for Public Schools-San Francisco for its ten years of service to the Parents, Students and Public

Schools of San Francisco and its continues involvement in the betterment of the public education system in San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090488 **Date Passed:**

Resolution commending Parents for Public Schools-San Francisco on ten years of service to the parents, students and public schools of San Francisco.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090488

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090384 RESOLUTION NO. 160-09

[Settlement of Claim]

Resolution Approving the settlement of unlitigated claim of Allstate Insurance Company as subrogee for Rajitha Sangha against San Francisco for $30,000; claim was filed on October 22, 2008.

WHEREAS, Allstate Insurance Company as subrogee for Rajitha Sangha has filed a claim against the City and County of San Francisco for property damage; and

WHEREAS, The Public Utilities Commission of the City and County of San Francisco has recommended settlement of said claim by payment of $30,000; now, threrefore, be it.

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $30,000 is hereby approved.

APPROVED:

DENNIS J. HERRERA
City Attorney

JOANNE HOEPER
Chief Trial Deputy

RECOMMENDED:

Public Utilities Commission

ED HARRINGTON
General Manager

Commission Secretary

FUNDS AVAILABLE:

BEN ROSENFIELD
Controller
Index Code: 470101
Subobject: 05312
Rules and Audits Committee
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090384 **Date Passed:**

Resolution approving the settlement of unlitigated claim of Allstate Insurance Company as subrogee for Rajitha Sangha against San Francisco for $30,000; claim was filed on October 22, 2008.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090384

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090492 RESOLUTION NO. 161-09

[Resolution Declaring June, July and August 2009 as Soda Free Summer]

Resolution declaring June, July and August 2009 as "Soda Free Summer" and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink " and go Soda Free this summer.

WHEREAS, The Bay Area Nutrition and Physical Activity Collaborative (BANPAC) is organizing a regional Soda Free Summer Campaign including Alameda, Contra Costa, Marin, San Mateo, San Francisco and Santa Clara counties; and,

WHEREAS, The American Academy of Pediatrics recommends eliminating soft drinks from schools; and,

WHEREAS, The American Dental Association recommends limiting soda intake; and,

WHEREAS, The National Heart Lung Blood Institute growth and health study found a three-fold increase in soda consumption among youth between 9 and 19 years and found that high soda intake predicts an increase in body mass index and a decrease in dietary calcium; and,

WHEREAS, A women's health study found that women who drink soda or sweetened fruit drinks every day were more likely to develop Type II Diabetes as compared to women who have such beverages once a month or less; and,

WHEREAS, Reducing intake of added sugars (especially sugar-sweetened beverages) may be helpful in achieving recommended nutrient intakes and weight control; and,

WHEREAS, Soda is one of the largest source of added sweeteners for children; and,

WHEREAS, The prevention of diabetes and diet related diseases are among the most urgent health challenges of our day; and,

WHEREAS, African American or Latino children born today have a 50% chance of developing Type II diabetes; and,

WHEREAS, Approximately 46% of Bay Area Region adults and teens and approximately 41% of San Francisco adults and teens are experiencing diet related diseases; and,

WHEREAS, Between 18-26% of Bay Area Region children and approximately one quarter (24%) of San Francisco children in grades 5, 7, 9 are experiencing diet related diseases; and,

WHEREAS, The Mayor's Challenge "Shape Up SF Initiative", staffed by the Department of Public Health and Department of Children, Youth, and their Families, is committed to preventing chronic disease and coordinating the Soda Free Summer Campaign; now, therefore, be it,

RESOLVED, That the San Francisco Board of Supervisors, proclaims June, July and August of 2009 as "Soda Free Summer" in San Francisco City and County, and urges all San Franciscans to join Shape Up SF to "Rethink Your Drink" and go Soda Free this summer.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090492 **Date Passed:**

Resolution declaring June, July and August 2009 as "Soda Free Summer" and urging all San Franciscans to join Shape Up SF to "Rethink Your Drink " and go Soda Free this summer.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090492

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090424 RESOLUTION NO. 162-09

[Approving the 2009 San Francisco Juvenile Justice Local Action Plan Update]

Resolution approving the 2009 San Francisco Juvenile Justice Local Action Plan which identifies the citywide programs and approaches that have been demonstrated to be effective in reducing violence, crime and delinquency amongst young adults ages 11 – 25 and includes recommendations for how funding for local violence prevention and intervention strategies will be allocated for the term of July 1, 2009 – June 30, 2010.

WHEREAS, The Mayor's Office of Community Investment (MOCI) has been the lead programmatic and fiscal agency of the county in administering JJCPA, which provides funds for the county to implement a comprehensive, multi-agency juvenile justice plan; and

WHEREAS, For FY 2009-2010 MOCI, the San Francisco Juvenile Probation Department and the Department of Children, Youth and their Families have aligned their juvenile justice and violence prevention and intervention priorities and pooled resources to fund approved strategies; and,

WHEREAS, The San Francisco Juvenile Justice Coordinating Council (JJCC) was established in 1999 through the Resolution 170-97 pursuant to Section 749.22 of Article 18.7 of the Welfare and Institutions Code as a necessary component under the State of California's Juvenile Crime Enforcement and Accountability Challenge Grant Program; and,

WHEREAS, The JJCC is charged with developing and updating a comprehensive, multi-agency plan, called "The Juvenile Justice Local Action Plan"; and,

WHEREAS, The Juvenile Justice Local Action Plan seeks to establish juvenile justice and violence prevention and intervention directives for youth and young adults, ages 11-25; and,

WHEREAS, The JJCC, led by Juvenile Probation Chief Siffermann, met February 13th, 20th, and 27th 2009, from 3pm – 5pm, at the Youth Guidance Center Cafeteria; and

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WHEREAS, The 2009 Juvenile Justice Action Plan sets juvenile justice funding priorities for various juvenile justice funding streams: the Juvenile Justice Crime Prevention Act (JJCPA), the Juvenile Accountability Block Grant (JABG), and the Children's and General Funds (CCSF streams); and,

WHEREAS, The JJCC unanimously approved and recommended to the Board of Supervisors this Juvenile Justice Local Action Plan on February 27, 2009; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby approves the 2009 San Francisco Juvenile Justice Local Action Plan Update.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090424 **Date Passed:**

Resolution approving the 2009 San Francisco Juvenile Justice Local Action Plan which identifies the citywide programs and approaches that have been demonstrated to be effective in reducing violence, crime and delinquency amongst young adults ages 11 – 25 and includes recommendations for how funding for local violence prevention and intervention strategies will be allocated for the term of July 1, 2009 – June 30, 2010.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090424

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090489 RESOLUTION NO. 163-09

[Building Safety Week]

Resolution declaring May 3-9, 2009 as Building Safety Week in San Francisco, recognizing the public safety efforts undertaken by the professionals at the Department of Building Inspection, and honoring these public employees for their dedication to safety.

WHEREAS, San Francisco is taking steps to provide engineering, plan reviews, building and housing inspections, and code enforcement in order to ensure the safety of homes and buildings; and,

WHEREAS, Building safety and fire prevention professionals, architects, engineers, builders and others in the construction industry employ their skills, expertise and experience to ensure building safety; and,

WHEREAS, Members of the International Code Council (ICC) also play a critical role by developing and implementing the highest quality building codes to ensure the safety of the buildings where we live, learn, work and recreate; and,

WHEREAS, The International Codes are the most widely adopted building safety and fire prevention codes in the nation, and are legally enforced by most U.S. cities, counties and states, including San Francisco; and,

WHEREAS, Modern building safety codes are vital in protecting the public during natural disasters, such as earthquakes; and,

WHEREAS, the Building Safety Week theme this year is "Building Safety: Where You Live, Work and Play," which is sponsored by the International Code Council to remind the public about the critical role played by local building code professionals, such as San Francisco's Department of Building Inspection; and,

WHEREAS, Building Safety Week, May 3-9, 2009 is an appropriate time for all San Franciscans to be aware of the importance of building safety efforts in our community, and to support

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initiatives, including green and sustainable building, disaster preparation, new construction technologies, training by building professionals, and the application of 'best practices,' help protect lives and properties through the implementation and enforcement of appropriate building safety codes by local and state agencies; now therefore, be it

RESOLVED, That the San Francisco Board of Supervisors, does hereby declare May 3-9, 2009 as Building Safety Week in San Francisco, does encourage everyone to support the vital public safety efforts undertaken by the professionals at the Department of Building Inspection, and does salute these talented and dedicated public employees for their invaluable leadership efforts on behalf of the safety and well-being of everyone.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090489 **Date Passed:**

Resolution declaring May 3-9, 2009, as Building Safety Week in San Francisco, recognizing the public safety efforts undertaken by the professionals at the Department of Building Inspection, and honoring these public employees for their dedication to safety.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090489

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090487 RESOLUTION NO. 164-09

[Accept & Expend Grant - To support HIV research study.]

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $34,645 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2009 through January 31, 2010.

WHEREAS, PHFE is the recipient of a grant award from the J. David Gladstone Institutes to support the research project entitled "Chemoprophylaxis for HIV Prevention in Men;" and,

WHEREAS, It is considered in the best interest of the J. David Gladstone Institutes, PHFE, and DPH to collaborate on this project; and,

WHEREAS, Through this grant, PHFE has agreed to fund DPH in the amount of $34,645 for the period of February 1, 2009 through January 31, 2010; and,

WHEREAS, As a condition of receiving the grant funds, PHFE requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 090487; which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, An ASO amendment is not required as the grant partially reimburses DPH for one existing position, Chief Medical Director (Job Class #2237) at .10 FTE, for the period of February 1, 2009 through January 31, 2010; and,

WHEREAS, A request for retroactive approval is being sought because DPH did not receive the agreement from PHFE until March 9, 2009; and,

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WHEREAS, The budget includes a provision for indirect costs of $3,150; now therefore, be it

RESOLVED, That DPH is hereby authorized to accept and expend a grant in the amount of $34,645 from PHFE; and, be it

FURTHER RESOLVED, That DPH is hereby authorized to retroactively accept and expend the grant funds pursuant to San Francisco Administrative Code section 10.170-1; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the Controller is directed to designate all positions funded under this agreement as "G" or grant-funded positions which would terminate when the agreement expires.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

for Nani Coloretti
Office of the Mayor

for
Office of the Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090487 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (DPH) to accept and expend retroactively a grant in the amount of $34,645 from the Public Health Foundation Enterprises (PHFE), to support a research project entitled "Chemoprophylaxis for HIV Prevention in Men;" for the period of February 1, 2009, through January 31, 2010.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090487

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Rose - for

Angela Calvillo
Clerk of the Board

5/8/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090491 RESOLUTION NO. 165-09

[Accept and Expend Grant – Resident transitions at Laguna Honda Hospital.]

Resolution authorizing the San Francisco Department of Public Health (DPH) – Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of $7,500 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of July 1, 2008 through June 30, 2009.

WHEREAS, The Stanford Geriatric Education Center is the recipient of a grant award from the Department of Health and Human Services, Health Resources and Services Administration (HRSA) to support geriatric education centers; and,

WHEREAS, It is considered in the best interest of HRSA, Stanford and DPH to participate in this project; and,

WHEREAS, Stanford has agreed to fund DPH-LHH for the transitional healthcare project in the amount of $7,500 under the terms of this agreement for the period of July 1, 2008 through June 30, 2009; and,

WHEREAS, As a condition of receiving the funds Stanford requires DPH to enter into a subaward agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 090491, which is hereby declared to be a part of this resolution as if set forth fully within; and,

WHEREAS, This funding extends a grant-funded project that was first approved by resolution (File No. 080786); and,

WHEREAS, The grant budget does not include indirect costs in order to maximize the use of grant funds on direct services; now, therefore, be it

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RESOLVED, That DPH-LHH is hereby authorized to accept and expend retroactively a grant in the amount of $7,500 from Stanford, the primary contractor, to support the transitional healthcare project; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the agreement on behalf of the City; and, be it

FURTHER RESOLVED, That DPH is hereby authorized to retroactively accept and expend the grant funds pursuant to San Francisco Administrative Code section 10.170-1; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the Controller is directed to designate the positions funded under this agreement as a "G" or grant-funded position which would terminate when the agreement expires.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

Office of the Mayor

for Office of the Controller

RESOLVED, That DPH-LHH is hereby authorized to accept and expend retroactively a grant in the amount of $7,500 from Stanford, the primary contractor, to support the transitional healthcare project; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the agreement on behalf of the City; and, be it

FURTHER RESOLVED, That DPH is hereby authorized to retroactively accept and expend the grant funds pursuant to San Francisco Administrative Code section 10.170-1; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the Controller is directed to designate the positions funded under this agreement as a "G" or grant-funded position which would terminate when the agreement expires.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

Office of the Mayor

for Office of the Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090491 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (DPH) – Laguna Honda Hospital (DPH-LHH), to accept and expend retroactively a grant in the amount of $7,500 from the Stanford Geriatric Education Center, to support the transitional healthcare project, for the period of July 1, 2008 through June 30, 2009.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090491

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090481 RESOLUTION NO. 166-09

[Accept and expend grant – Public health preparedness.]

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $100,000 from the National Association of County and City Health Officials (NACCHO) to support a public health preparedness project through the Communicable Disease and Prevention Section; for the period of April 1, 2009 through September 29, 2009.

WHEREAS, NACCHO selected DPH as a grantee through the Innovative Solutions in Public Health Preparedness program; for funding in the amount of $100,000, for the period of April 1, 2009 through September 29, 2009; and,

WHEREAS, DPH's project is entitled "Training and Sustaining Dispensing Push Partnerships: A Train the Trainer Guide for Working with Push Partners;" and,

WHEREAS, The grant does not require an ASO amendment and partially reimburses DPH for seven existing positions, including Sr. Health Program Planner (Job Class #2820) at .40 FTE, Health Program Coordinator III (Job Class #2539) at .15 FTE, Health Educator (Job Class #2822) at .10 FTE; Health Program Coordinator II (Job Class #2591) at .10 FTE, Epidemiologist II (Job Class #2803) at .10 FTE, IS Business Analyst (Job Class #1054) at .05 FTE, and an as-needed Public Service Aide (Job Class #9924) at .20 FTE; all for the period of April 1, 2009 through September 29, 2009; and,

WHEREAS, Because the award notification was not received from NACCHO until March 31, 2009, DPH is requesting retroactive approval for a April 1, 2009 start date; and,

WHEREAS, The budget includes $43,000 in contractual services, for design and production of materials; and,

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WHEREAS, The budget does not include a provision for indirect costs in order to maximize use of grant funds on direct services; now therefore, be it

RESOLVED, That DPH is hereby authorized to retroactively accept and expend a grant in the amount of $100,000 from NACCHO; and, be it

FURTHER RESOLVED, That DPH is hereby authorized to retroactively accept and expend the grant funds pursuant to San Francisco Administrative Code section 10.170-1; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the Controller is directed to designate all positions funded under this agreement as "G" or grant-funded positions which would terminate when the agreement expires.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

Office of the Mayor

Office of the Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090481 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (DPH) to retroactively accept and expend a grant in the amount of $100,000 from the National Association of County and City Health Officials (NACCHO) to support a public health preparedness project through the Communicable Disease and Prevention Section; for the period of April 1, 2009 through September 29, 2009.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090481

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090483 RESOLUTION NO. 167-09

[Supporting Senate Bill 585]

Resolution supporting Senate Bill 585 to Ban Gun Shows at the Cow Palace.

WHEREAS, Senate Bill 585 would prohibit the sale of firearms and ammunition at the Cow Palace; and,

WHEREAS, Since 2005, communities adjacent to the Cow Palace, including the Sunnydale public housing project and neighborhoods of Visitacion Valley, Bayview-Hunters Point, and the Mission have dealt with 44% of the homicides in the City and County of San Francisco; and,

WHEREAS, More than 30% of the guns seized in the City and County of San Francisco came from these communities; and,

WHEREAS, In 2003, the San Francisco Board of Supervisors unanimously passed a resolution urging the state to ban gun shows from the Cow Palace; and,

WHEREAS, Promoters continue to host gun shows on state property in the Cow Palace and,

WHEREAS, In recent years, counties across California, including Alameda, Marin, San Mateo, and Los Angeles counties, have banned gun shows at county-owned facilities in their jurisdictions; and,

WHEREAS, Senate Bill 585 solves residents' calls and resolutions passed unanimously by San Mateo and San Francisco Counties to discontinue gun shows on state property; now, therefore, be it

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Supervisor Avalos, Dufty, Maxwell, Campos
BOARD OF SUPERVISORS

4/21/2009

RESOLVED, That Board of Supervisors of the City and County of San Francisco supports Senate Bill 585 to ban gun shows at the Cow Palace.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090483 **Date Passed:**

Resolution supporting Senate Bill 585 to ban gun shows at the Cow Palace.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090483

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090480 RESOLUTION NO. 168-09

[Supporting The Toxin-Free Babies and Toddlers Act]

Resolution urging the City and County of San Francisco to support Senate Bill (SB) 797, The Toxin-Free Babies and Toddlers Act.

WHEREAS, The Board of Supervisors of the City and County of San Francisco is deeply concerned about the millions of babies and toddlers in California that are exposed daily to the harmful toxin bisphenol A (BPA) because this hormone-disrupting chemical is leaching into their food and drinks; and

WHEREAS, The National Institutes of Health are concerned that BPA exposure in infants may lead to problems with brain development and behavior, early puberty, breast cancer and prostate cancer; and

WHEREAS, New research suggests that BPA may interfere with metabolism and lead to obesity, heart disease and diabetes; and

WHEREAS, Out of concern for children's safety, Canada has banned the use of BPA in baby bottles and is restricting use in infant formula cans; and

WHEREAS, Many U.S. companies have phased out BPA from their products and major retailers have removed BPA-containing products from their store shelves; and

WHEREAS, BPA-free alternatives are affordable and widely available to parents; and

WHEREAS, It is in the best interest of California to significantly reduce infants' and toddlers' exposure to BPA as soon as possible, and to ultimately eliminate all exposure; and

WHEREAS, California's Green Chemistry Initiative will not come to fruition soon enough to protect the 550,000 babies born in California each year from the unnecessary health risks posed by BPA; and

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WHEREAS, On October 28, 2008, The Board of Supervisors passed a resolution authored by Supervisor Alioto-Pier calling upon San Francisco hospitals and retailers to help reduce infant exposure to BPA by discontinuing the sale and distribution of baby bottles containing BPA; and

WHEREAS, SB 797, The Toxin-Free Babies and Toddlers Act, would prohibit the manufacture, sale, or distribution of any bottle, cup, or liquid, food, or beverage in a can or jar designed for children 3 and younger that contains more than 0.1 parts per billion (ppb) of BPA; now, therefore, be it

RESOLVED, That the City and County of San Francisco supports and endorses SB 797, The Toxin-Free Babies and Toddlers Act, and urges the California Assembly and Senate to pass SB 797, and urges the Governor to sign SB 797 into law.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090480 **Date Passed:**

Resolution urging the City and County of San Francisco to support Senate Bill 797 (SB 797), the Toxin-Free Babies and Toddlers Act.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090480

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

[Resolution proclaiming April 2009 Autism Awareness Month in San Francisco.]

Resolution proclaiming April 2009 Autism Awareness Month in San Francisco.

WHEREAS, Special Needs Network will celebrate April as Autism Awareness Month with a series of events that are designed to continue to inform and raise awareness of this disorder; and

WHEREAS, Autism impacts more than 64 million people; in California, someone is diagnosed every 12 minutes;

WHEREAS, Special Needs Network has been on the forefront of assisting families impacted by this incurable disorder, and is proud of its accomplishments which include providing much needed advocacy training and resources to more than 10,000 county residents, many of whom live at, or below the poverty line; and

WHEREAS, Autism Awareness month shines a bright light on this condition and related disorders as a growing global health crisis, and encourages participation in the different activities that help to increase and develop world knowledge of the epidemic and to impart information regarding the importance of early diagnosis and early intervention, now, therefore, be it

RESOLVED That the Board of Supervisors of the City and County of San Francisco commends Special Needs Network; and, now be it

FURTHER RESOLVED, That the Board of Supervisors hereby declares April 2009 Autism Awareness Month in San Francisco.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090517 **Date Passed:**

Resolution proclaiming April 2009 Autism Awareness Month in San Francisco.

April 28, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090517

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090490 RESOLUTION NO. 170-09

[Commending Robert Pender on the occasion of his 85th Birthday]

Resolution commending Robert Pender on the occasion of his 85th Birthday.

WHEREAS, The San Francisco Board of Supervisors is proud to honor the contributions of those persons who commit their talents and professional careers and love of life to enhance the lives of others; and,

WHEREAS, Robert Pender, "an old Brooklyn Boy" first saw San Francisco while recovering at the old military hospital in The Presidio; and,

WHEREAS, Robert Pender, while recovering from injuries sustained fighting in World War II fell in love with San Francisco; and,

WHEREAS, Robert Pender, has dedicated decades of service to the San Francisco community, before and during his 44 years at Parkmerced; and,

WHEREAS, Robert Pender, over the years along with other volunteers, he has saved residents of Parkmerced hundreds of thousands of dollars, and helped shape changes in San Francisco civic code; and,

WHEREAS, Robert Pender, was born a fighter, and he continues today with an iron will and a huge heart; now therefore be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco bestows its highest commendation to Robert Pender on the occasion of his 85th Birthday and declare May 3, 2009 as Robert Pender day in the City and County of San Francisco.

Supervisor Sean R. Elsbernd , Mar
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090490 **Date Passed:**

Resolution commending Robert Pender on the occasion of his 85th birthday.

April 28, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090490

I hereby certify that the foregoing Resolution was ADOPTED on April 28, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/8/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090482 RESOLUTION NO. 171-09

[Opposing Proposition 1D.]

Resolution opposing Proposition 1D on the May 19, 2009 Statewide Special Election.

WHEREAS, In 1998, the voters of California passed Proposition 10, the California Children and Families Act, approving a tobacco tax to fund services for young children in California and to provide for the formation of the First 5 California Commission to oversee and support the funding of education, health and child care program for children ages 0 to 5; and

WHEREAS, This commission, also known as First 5 California, also works with 58 First 5 County Commissions statewide to develop and fund programs for young children that are tailored to the needs of local communities; and

WHEREAS, Together, First 5 California and the First 5 County Commissions have established a foundation for the future success of children and their ability to reach their full potential; and

WHEREAS, In 10 short years, First 5 California has dramatically increased public awareness, improved systems, and built an effective array of direct services for prevention and early services in every county in California, reaching nearly 1 million young children; and

WHEREAS, First 5 San Francisco has faithfully served the families of San Francisco by creating and supporting a wide range of initiatives and programs that are critical for thousands of undeserved children and families, providing health care insurance, high quality early childhood education, and family support services; and,

WHEREAS, First 5 San Francisco has taken the lead in uniting organizations, parents, and providers on behalf of the welfare of children from the prenatal stage through age 5; and,

Supervisors Avalos, Mar, Daly, Campos

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WHEREAS, Proposition 1D, a statewide ballot measure for the May 19, 2009 Special Election, would authorize the State of California to appropriate $320 million a year for five years, for a total of $1.6 billion, from the First 5 California efforts to address a deficit in other children's programming in the State of California; and

WHEREAS, The loss of First 5 funds would seriously impact programming for young children across the state and in San Francisco; and

WHEREAS, It is critical that First 5 San Francisco retain its ability to receive and distribute San Francisco's share of revenue generated by the tobacco tax and carry out the will of the people of California who approved Proposition 10; and,

WHEREAS, With the passage of Proposition 1D, San Francisco would lose between $3.6 and $4.8 million, more than 4,000 San Francisco children and their parents and caregivers would no longer receive early literacy and family support services, and over 3,000 San Francisco children would no longer have access to vision, hearing, and dental screenings; and,

WHEREAS, With the passage of Proposition 1D, 550 San Francisco children would lose comprehensive medical and dental health insurance coverage, and more than 500 San Francisco children would lose access to early screening, assessment and treatment of disabilities, and special health care needs; and,

WHEREAS, Over 200 agencies and several thousand families would lose early childhood mental health consultation services, which foster healthy social and emotional development; and,

WHEREAS, The passage of Proposition 1D would mean reprogramming Proposition 10 funding in order to resolve the State's budget would result in a tremendous loss for San Franciscans and young children throughout the State of California; and,

WHEREAS, The funding at risk with the passage of Proposition 1D is a drop in the bucket of the state budget deficit but would mean a drastic loss of services for San Francisco's youngest children; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby opposes Proposition 1D on the May 19, 2009 Statewide Special Election.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090482 **Date Passed:**

Resolution opposing Proposition 1D on the May 19, 2009, Statewide Special Election.

April 28, 2009 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 1 - Elsbernd

File No. 090482

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09

Date Approved

Mayor Gavin Newsom

[Green Building Ordinance – Finding of Cost Effectiveness and Energy Savings.]

Resolution adopting a finding by the Board of Supervisors, required by State law, that the City's Green Building Ordinance (Chapter 13C of the San Francisco Building Code) is cost effective and will save more energy than the 2008 California Building Efficiency Standards that will go into effect throughout the State of California on August 1, 2009, and directing the Department of Building Inspection or other appropriate City staff to cause the Green Building Ordinance, this resolution, and the supporting study to be transmitted to the California Energy Commission for its review and re-approval.

WHEREAS, Section 25402.1(h)(2) of the California Public Resources Code authorizes a local jurisdiction to adopt and enforce more stringent local energy standards, provided that the local jurisdiction makes a determination that the local standards are cost effective and will save more energy than the current Statewide standards and files an application for approval with the California Energy Commission together with documentation supporting the cost-effectiveness determination; and,

WHEREAS, A local ordinance may take effect only after the California Energy Commission has reviewed and approved the proposed local energy standards; and,

WHEREAS, On July 29, 2008, this Board of Supervisors finally passed a Green Building Ordinance (Chapter 13C of the San Francisco Building Code), which was approved by the Mayor on August 4, 2008; and,

WHEREAS, The Green Building Ordinance imposed stricter local energy efficiency and other green building requirements than the 2005 California Building Efficiency Standards then in effect for new construction and major alterations in various types of buildings, which ranged from: (1) submitting a checklist, (2) achieving specific ratings and points under the LEED®,

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Build It Green, or an equivalent rating system, (3) providing space for on-site compostable waste, (4) having water efficient landscaping, reducing water use, and managing stormwater, (5) managing construction waste, (6) providing renewable energy on-site, (7) using low-emitting materials, and (8) achieving enhanced commissioning; and,

WHEREAS, In its legislative findings, this Board expressly determined that the standards imposed by the Green Building Ordinance were cost effective and would save more energy than the 2005 California Building Energy Efficiency Standards then in effect; and,

WHEREAS, The Board's cost effectiveness and energy saving determination was based upon a study performed by Gabel Associates, LLC; and,

WHEREAS, The California Energy Commission approved the Green Building Ordinance and it went into effect on November 3, 2008; and,

WHEREAS, On April 23, 2008, the California Energy Commission adopted the 2008 California Building Energy Efficiency Standards that will go into effect throughout the State of California on August 1, 2009; and,

WHEREAS, Section 25402.1(h)(2) of the Public Resources Code requires this Board of Supervisors to make a determination that the City's Green Building Ordinance is more cost effective and will save more energy than the 2008 California Building Energy Efficiency Standards in order for the Green Building Ordinance to remain in effect after August 1, 2009; and,

WHEREAS, Gabel Associates, LLC has revised the previous study to compare the City's Green Building Ordinance with the 2008 California Building Energy Efficiency Standards that will go into effect on August 1, 2009, which revised study is on file with the Clerk of the Board of Supervisors in File No. 090469 and is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, No changes are being made to the City's Green Building Ordinance that the California Energy Commission previously approved; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby finds and determines that the City's Green Building Ordinance, codified as Chapter 13C of the San Francisco Building Code, is cost effective and will save more energy than the 2008 California Building Energy Efficiency Standards that will go into effect on August 1, 2009; and, be it

FURTHER RESOLVED, That this determination is based upon the San Francisco Green Building Ordinance Revised Energy Cost-Effectiveness Study Under the 2008 Title 24 Standards prepared by Gabel Associates, LLC, which compares the City's Green Building Ordinance with the 2008 California Building Energy Efficiency Standards; and be it

FURTHER RESOLVED, That the Department of Building Inspection, or other appropriate City staff, is hereby directed to cause the City's Green Building Ordinance, this resolution, and the supporting study to be transmitted to the California Energy Commission with an application for its review and re-approval of the Green Building Ordinance so that the Ordinance will remain in effect after August 1, 2009.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090469 **Date Passed:**

Resolution adopting a finding by the Board of Supervisors, required by State law, that the City's Green Building Ordinance (Chapter 13C of the San Francisco Building Code) is cost effective and will save more energy than the 2008 California Building Efficiency Standards that will go into effect throughout the State of California on August 1, 2009, and directing the Department of Building Inspection or other appropriate City staff to cause the Green Building Ordinance, this resolution, and the supporting study to be transmitted to the California Energy Commission for its review and re-approval.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090469

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09
Date Approved

Mayor Gavin Newsom

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FILE NO. 090530 RESOLUTION NO. 173-09

[Municipal Clerks Week – May 3-9, 2009.]

Resolution declaring May 3-9, 2009 as Municipal Clerks Week in the City and County of San Francisco, hereby recognizing the vital services performed by Municipal Clerks and especially by the City and County of San Francisco Board of Supervisors Clerk of the Board, Angela Calvillo, and her staff.

WHEREAS, The Office of the Municipal Clerk has been a time honored and vital part of local government which exists throughout the world; and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, local governing bodies and agencies of government at all levels; and

WHEREAS, Municipal Clerks are pledged to be mindful of their neutrality and impartiality, providing equal service to all; and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, The Office of the Clerk of the Board of the Board of Supervisors of the City and County of San Francisco has been a vital part of our local government since its incorporation; and

WHEREAS, It is appropriate that we recognize the accomplishments of the Municipal Clerks Offices across the country and right here in the City and County of San Francisco; now, therefore, be it

RESOLVED, That the City and County of San Francisco does hereby declare the week of May 3-9, 2009, as Municipal Clerks Week; and, be it

FURTHER RESOLVED, That we hereby acknowledge the vital services that Municipal Clerks Offices perform and their exemplary dedication to the communities they represent; and, be it

FURTHER RESOLVED, That we hereby extend our appreciation to the City and County of San Francisco Board of Supervisors Clerk of the Board, Angela Calvillo, and her staff.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090530 **Date Passed:**

Resolution declaring May 3-9, 2009, as Municipal Clerks Week in the City and County of San Francisco, hereby recognizing the vital services performed by Municipal Clerks and especially by the City and County of San Francisco Board of Supervisors Clerk of the Board, Angela Calvillo, and her staff.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090530

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090534 RESOLUTION NO. 174-09

[Mortgage Revenue Bonds.]

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $12,000,000 for Arlington Residence; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

WHEREAS, The Board of Supervisors of the City and County of San Francisco (the "Board of Supervisors"), after careful study and consideration, has determined that there is a shortage of safe and sanitary housing within the City and County of San Francisco (the "City"), particularly for low and moderate income persons, and that it is in the best interest of the residents of the City and in furtherance of the health, safety, and welfare of the public for the City to assist in the financing of multi-family rental housing units; and,

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WHEREAS, Acting under and pursuant to the powers reserved to the City under Sections 3, 5, and 7 of Article XI of the Constitution of the State of California and Sections 1.101 and 9.107 of the Charter, the City has enacted the City and County of San Francisco Residential Mortgage Revenue Bond Law (the "City Law"), constituting Article I of Chapter 43 of the San Francisco Administrative Code, in order to establish a procedure for the authorization, issuance and sale of residential mortgage revenue bonds by the City for the purpose of providing funds to encourage the availability of adequate housing and home finance for persons and families of low or moderate income, and to develop viable communities by providing decent housing, enhanced living environments, and increased economic opportunities for persons and families of low or moderate income; and,

WHEREAS, In addition, pursuant to Division 31 of the Health and Safety Code of the State of California, and particularly Chapter 7 of Part 5 thereof (the "State Law"), the City is empowered to issue and sell bonds for the purpose of making mortgage loans or otherwise providing funds to finance the development of multi-family rental housing including units for lower income households and very low income households; and,

WHEREAS, Mercy Housing XL, a California limited partnership (the "Developer"), desires to rehabilitate a 153-unit residential rental housing development for very low income households at 472-480 Ellis Street to be known as the Arlington Residence (the "Project"); and,

WHEREAS, The Developer has requested that the City assist in the financing of the Project through the issuance of one or more series of tax-exempt mortgage revenue bonds (the "Bonds"); and,

WHEREAS, The City expects that proceeds of the Bonds will be used to pay certain costs incurred on and after the date hereof in connection with the Project; and,

WHEREAS, The City intends to issue the Bonds in an amount not to exceed $12,000,000 to finance the costs of the Project and to loan the proceeds thereof to the Developer (the "Loan"); and,

WHEREAS, The Board of Supervisors has determined that the moneys advanced and to be advanced to pay certain expenditures of the Project are or will be available only for a temporary period and it is necessary to reimburse all such expenditures made on and after the date hereof with respect to the Project from the proceeds of the Bonds; and,

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the Board of Supervisors to declare its reasonable official intent to reimburse prior expenditures for the Project with proceeds of a borrowing; and,

WHEREAS, The interest on the Bonds may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and,

WHEREAS, The City now wishes to approve the issuance of the Bonds in order to satisfy the public approval requirements of Section 147(f) of the Code; and,

WHEREAS, The Project is located wholly within the City; and,

WHEREAS, On April 23, 2009, the City caused a notice stating that a public hearing with respect to the issuance of the Bonds would be held by the Mayor's Office of Housing on May 7, 2009, to appear in *The San Francisco Examiner*, which is a newspaper of general circulation in the City; and,

WHEREAS, The Mayor's Office of Housing has held the public hearing described above on May 7, 2009 and an opportunity was provided for persons to comment on the issuance of the Bonds and the Project; and,

WHEREAS, This Board of Supervisors is the elected legislative body of the City and is the applicable elected representative required to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and,

WHEREAS, Section 146 of the Code limits the amount of qualified mortgage revenue bonds that may be issued in any calendar year by entities within a state and authorizes the legislature of such state to provide the method of allocating authority to issue qualified mortgage revenue bonds within such state; and,

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the Government Code of the State of California governs the allocation in the State of California of the state ceiling established by Section 146 of the Code among governmental units in the State having the authority to issue qualified mortgage revenue bonds; and,

WHEREAS, Section 8869.85 of the Government Code requires a local agency to file an application for a portion of the state ceiling with or upon the direction of the California Debt Allocation Committee ("CDLAC") prior to the issuance of qualified mortgage revenue bonds; and,

WHEREAS, CDLAC procedures require an applicant for a portion of the state ceiling to certify to CDLAC that applicant has on deposit an amount equal to one-half of one percent (1/2%) of the amount of allocation requested; now, therefore be it

RESOLVED, by the Board of Supervisors of the City and County of San Francisco, as follows:

Section 1. The Board of Supervisors finds and determines that the foregoing recitals are true and correct.

Section 2. The Board of Supervisors adopts this Resolution for purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury

Regulations. This Resolution does not bind the Board of Supervisors to approve the Loan or to make any expenditure, incur any indebtedness or proceed with the Project.

Section 3. The Board of Supervisors hereby declares its official intent under Treasury Regulations Section 1.150-2 and declares its intent to use proceeds of indebtedness to reimburse all future expenditures incurred in connection with the Project. The Board of Supervisors hereby further declares its intent to use such proceeds to reimburse the Developer for actual expenditures made by the Developer on the Project.

Section 4. On the date of the expenditure to be reimbursed, all reimbursable costs of the Project will be of a type properly chargeable to a capital account under general federal income tax principles.

Section 5. The maximum principal amount of debt expected to be issued for the Project is $12,000,000.

Section 6. This Board of Supervisors, as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, hereby approves the issuance of the Bonds for purposes of Section 147(f) of the Code.

Section 7. This approval of the issuance of the Bonds by the City is neither an approval of the underlying credit issues of the proposed Project nor an approval of the financial structure of the Bonds.

Section 8. The Board of Supervisors hereby authorizes the Director of the Mayor's Office of Housing (the "Director"), on behalf of the City, to submit an application (the "Application"), and such other documents as may be required, to CDLAC pursuant to Government Code Section 8869.85 for an allocation of a portion of the state ceiling for private activity bonds in a principal amount not to exceed $12,000,000 for qualified mortgage revenue bonds.

Section 9. An amount equal to $60,000 ("Deposit") is hereby authorized to be held on deposit in connection with the Application and the applicable CDLAC procedures, and the Director is authorized to certify to CDLAC that such funds are available; which Deposit shall consist of a restriction on cash in the Hotel Tax Fund established pursuant to Section 515.01 of Article 7 of the San Francisco Business and Tax Regulations Code (the "Hotel Tax Fund").

Section 10. If the City receives a CDLAC allocation and the applicable issuance requirements are not met, the Mayor's Office of Housing is hereby authorized to cause an amount equal to the Deposit to be paid to the State of California from the Hotel Tax Fund, if required.

Section 11. The officers and employees of the City and the Director are hereby authorized and directed, jointly and severally, to do any and all things necessary or advisable to consummate the receipt of an allocation from CDLAC and otherwise effectuate the purposes of this Resolution, and all actions previously taken by such officers and employees with respect to the Project, including but not limited to the submission of the application to CDLAC, are hereby ratified and approved.

Section 12. This Resolution shall take effect from and after its adoption by the Board and approval by the Mayor.

APPROVED AS TO FORM:
DENNIS J. HERRERA
City Attorney

By: Kenneth David Roux
Kenneth David Roux
Deputy City Attorney

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090534 **Date Passed:**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $12,000,000 for Arlington Residence; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $60,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $12,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090534

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090532 RESOLUTION NO. 175-09

[Supporting Senate Bill 782, Residential tenancies: domestic violence.]

Resolution supporting Senate Bill 782 to provide stable, safe housing for victims of domestic violence, sexual assault or stalking.

WHEREAS, Senate Bill 782 (Yee) would help provide stable, safe housing for victims of domestic violence, sexual assault or stalking; and,

WHEREAS, Domestic violence is a widespread problem impacting one in three households in the United States in all communities; and,

WHEREAS, Countless studies demonstrate that stable, safe housing is a public safety issue, a critical element of ensuring the safety of domestic violence and stalking victims; and,

WHEREAS, Landlords sometimes evict domestic violence, sexual assault or stalking victims based upon complaints of noise, fighting, or repeated visits from the police to a victim's residence even though the visits are the result of crimes committed against the victim; and,

WHEREAS, Safe housing is essential to recovery for victims of domestic violence; and,

WHEREAS, SB 782 is modeled off of a San Francisco ordinance (File No. 020309), which was unanimously supported by the San Francisco Board of Supervisors on February 10, 2009; and,

WHEREAS, SB 782 would provide that the conduct of the abuser may serve as a defense to eviction of the victim tenant; now therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco supports SB 782, and urges the California Senate to pass SB 782, and urges the Governor to sign SB 782 into law.

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City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090532 **Date Passed:**

Resolution supporting Senate Bill 782 to provide stable, safe housing for victims of domestic violence, sexual assault or stalking.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090532

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090537 RESOLUTION NO. 176-09

[Endorsing San Francisco's inclusion in the "Healthy Purchase Pilot Program"]

Resolution endorsing and supporting San Francisco's inclusion in the California Department of Public Health's "Healthy Purchase Pilot Program".

WHEREAS, The Healthy Purchase Pilot Program is a groundbreaking effort to provide healthy food choices for families by making it easier and more affordable for low-income households to purchase fresh fruits and vegetables; and,

WHEREAS, The Healthy Purchase Pilot Program provides an immediate rebate for food stamp recipients purchasing fruits and vegetables; and,

WHEREAS, San Francisco has a strong history of successfully piloting innovations in the food stamp program; and,

WHEREAS, San Francisco has developed a program to work with corner and small store owners to increase access to fresh produce and healthy foods in their stores in exchange for incentives such as refrigeration units and promotional activities; and,

WHEREAS, The Healthy Purchase Pilot Program would also be beneficial to food retailers because it would help small grocery stores carry fresh fruits and vegetables and sell more produce; and,

WHEREAS, Despite hard work, many low-income households struggle to afford healthy foods since fresh fruits and vegetables cost more calorie-for-calorie than nutritionally-poor alternatives; and,

WHEREAS, Research suggests that adults, particularly women, living in households unable to afford healthy foods carry twice the risk of obesity and diabetes and almost 40 percent higher risk of high blood pressure than adults who are able to afford healthy foods; and,

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WHEREAS, The San Francisco Food Bank estimates that over 18 percent of San Franciscans or over 150,000 residents struggle to feed their families; and,

WHEREAS, San Francisco suffers from troubling rates of obesity, Type II diabetes, and heart disease. In 2005 43% of San Franciscans reported problems with being overweight or obese. Currently in San Francisco County, almost 7% of adults have been diagnosed with diabetes. In low-income populations, 15% of adults have been diagnosed with diabetes or heart disease (CHIS 2005).

WHEREAS, These conditions are clustered in the very neighborhoods where households are less likely to be able to afford nutritious food; and,

WHEREAS, In San Francisco County, food insecurity and hunger is rising at an alarming rate as evidenced by a recent report issued in February 2009 by the Food Security Task Force entitled "Increased Hunger: A Summary of Food Program Trends" showing that there is an increase in demand for all federal and community food Programs; now, therefore, be it,

RESOLVED, That the San Francisco Board of Supervisors supports San Francisco's inclusion in the California Department of Public Health's "Healthy Purchase Pilot Program"; and, be it,

FURTHER RESOLVED, That if San Francisco is chosen to be one of the pilot counties involved in the "Healthy Purchase Pilot Program", the Human Service Agency and the Department of Public Health are authorized to participate in this important program.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090537 **Date Passed:**

Resolution endorsing and supporting San Francisco's inclusion in the California Department of Public Health's "Healthy Purchase Pilot Program."

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090537

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09

Date Approved

Mayor Gavin Newsom

FILE NO. 090531 RESOLUTION NO. 177-09

[Declaring May 2009 as Hepatitis B Awareness Month]

Resolution declaring May 2009 as Hepatitis B awareness month in San Francisco, with the goal of holding at least one Hepatitis B awareness or prevention event every day of the month; build on continuing efforts by the San Francisco community to make San Francisco the first city in America to be free of Hepatitis B disease; encouraging all San Francisco residents to know their own Hepatitis B status.

WHEREAS, Residents of Asian and Pacific Islander heritage comprise 34 percent of the population of the City and County of San Francisco;

WHEREAS, Hepatitis B infection and liver cancer remain the greatest health disparity for Asian/Pacific Islanders, and San Francisco has the highest rate of liver cancer in the nation;

WHEREAS, The San Francisco Board of Supervisors unanimously passed Resolution 659-06 in November 2006 establishing the "goal of universal Hepatitis B screening and vaccination for Asian and Pacific Islander residents of San Francisco" and the San Francisco Health Commission unanimously passed a companion resolution endorsing that goal, Resolution 16-06 in December 2006;

WHEREAS, San Francisco has been a leader in the nation for hepatitis B prevention efforts including Chinese Hospital holding the first community screenings in America and San Francisco General Hospital being one of the first municipal hospitals in America to provide universal infant immunization;

WHEREAS, Current San Francisco Hep B prevention and education efforts have tested approximately 5,000 individuals at campaign sites, with thousands more being tested in their primary care physician's offices;

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WHEREAS, San Francisco's citywide efforts are being watched as potentially a national model with the U.S. Centers for Disease Control and Prevention highlighting San Francisco's model by announcing new guidelines for expanded national hepatitis B screening at Chinatown Community Health Center in San Francisco on September 18, 2008;

WHEREAS, San Francisco's healthcare community has worked together from all sectors - public, private, and community – to provide linkages to care for all infected San Franciscans regardless of insurance coverage;

THEREFORE BE IT RESOLVED, That the City and County of San Francisco recognizes and expresses its appreciation to all the dedicated organizations and volunteers who serve San Francisco with their hepatitis B advocacy and prevention efforts;

BE IT FURTHER RESOLVED, That all City and County departments are encouraged to work with healthcare and community partners to have all of City and County employees screened for hepatitis B;

BE IT FURTHER RESOLVED, That all healthcare institutions and providers work to increase clinician education at all levels regarding the importance of hepatitis B screening and to incorporate hepatitis B screenings in the routine healthcare check up of all individuals as directed by national guidelines issued by the U.S. Centers for Disease Control and Prevention;

BE IT FURTHER RESOLVED, That all Asian/Pacific Islander residents of San Francisco and other high target communities, are urged to know their own hepatitis B status by getting screened, and to urge their own friends and families to also be screened.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090531 **Date Passed:**

Resolution declaring May 2009 as Hepatitis B awareness month in San Francisco, with the goal of holding at least one Hepatitis B awareness or prevention event every day of the month; build on continuing efforts by the San Francisco community to make San Francisco the first city in America to be free of Hepatitis B disease; encouraging all San Francisco residents to know their own Hepatitis B status.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090531

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09

Date Approved

Mayor Gavin Newsom

[Agreement to Sell the Dolores Hotel Located at 35-37 Woodward Street]

Resolution approving and authorizing the execution and performance of an Agreement For Sale of Real Estate relating to the property commonly known as the Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the sale is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and the Director of the Mayor's Office of Housing to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

WHEREAS, Pursuant to Resolution No. 282-08 adopted by the Board of Supervisors on June 17, 2008 and approved by the Mayor on June 24, 2008 the City acquired title to the Dolores Hotel (the "Property") from Mission Housing Development Corporation ("MHDC") in exchange for City assuming a Deferred Payment Rehabilitation Loan Program loan in the amount of $145,000 (the "DPRLP Loan"), (which the State of California Department of Housing and Community Development ("HCD") allowed MHDC to assign to the City) and City cancelling MHDC indebtedness under a San Francisco City Housing Rehabilitation Loan Program loan in the amount of $587,997; and

WHEREAS, On February 11, 2008, the Mayor's Office of Housing ("MOH") and the City's Department of Public Health ("DPH") jointly issued a Request for Qualifications and Proposals (the "RFP") seeking an entity willing to acquire, rehabilitate, and operate the existing fifty nine (59) vacant units on the Property as transitional housing for homeless, single adults (the "Project"); and

WHEREAS, Dolores Street Community Services ("DSCS") was the only entity that responded to the RFP, and after reviewing its application, MOH and DPH selected DSCS as

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purchaser of the Property and recommended that the City provide DSCS with approximately $557,537 in City funds for predevelopment expenses in connection with the Project; and,

WHEREAS, DSCS has since formed an affiliate limited liability company named Dolores Hotel, LLC ("Buyer"), of which DSCS shall be the sole member; and,

WHEREAS, In consideration of the City's agreement to convey the Property, Buyer shall (1) either assume all obligations under the DPRLP Loan documents or enter into new loan documents with HCD for the DPRLP Loan such that the existing DPRLP Loan documents and any City obligations thereunder are terminated (subject to HCD's approval of such assumption by Buyer and Buyer's acquisition of the Property); and (2) agree to the affordability restrictions as set forth in the Agreement for Sale of Real Estate (the "Agreement"); and,

WHEREAS, The Director of Planning, by letter dated January 29, 2008, found that the sale of the Property contemplated by the Agreement, is consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code Section 101.1 and is exempt from Environmental Review, which letter is on file with the Clerk of the Board of Supervisors under File No. 090356, and which letter is incorporated herein by this reference; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby adopts and incorporates herein by reference the findings of the Director of Planning in his letter of January 29, 2008, that the sale of the Property contemplated by the Agreement is consistent with the General Plan and with the Eight Priority Policies of City Planning Code Section 101.1 and is exempt from Environmental Review for the same reasons as set forth in such letter, and hereby incorporates such findings by reference as though fully set forth in this Resolution; and, be it

FURTHER RESOLVED, That in accordance with the recommendations of the Director of Property and the Director of MOH, the Board of Supervisors hereby finds that City's sale of the Property serves a legitimate public purpose by protecting existing affordable housing and hereby approves the Agreement and the transactions contemplated therein, including Buyer either assuming the DPRLP Loan or entering into new loan documents with HCD such that the existing DPRLP Loan and any City obligation thereunder is terminated; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property and the Director of the MOH to enter into any additions, amendments or other modifications to the Agreement (including, without limitation, the attached exhibits) that they, in consultation with the City Attorney, determine to be in the best interest of the City, that do not materially increase the obligations or liabilities of the City, and are necessary or advisable to complete the transactions contemplated in the Agreement and effectuate the purpose and intent of this Resolution, such determination to be conclusively evidenced by the execution and delivery of the Agreement and any amendments thereto by the Director of Property and the Director of MOH; and, be it

FURTHER RESOLVED, That the Director of Property is hereby authorized, in the name and on behalf of the City, to execute a Quitclaim Deed to the Property to Buyer upon the closing in accordance with the terms and conditions of the Agreement, and to take any and all steps (including, but not limited to, the execution and delivery of the Agreement, any and all certificates, agreements, notices, consents, escrow instructions, closing documents and other instruments or documents) as the Director of Property and the Director of MOH, in consultation with the City Attorney, deem necessary or appropriate in order to consummate the sale of the Property pursuant to the Agreement or to otherwise effectuate the purpose and intent of this Resolution; and, be it

FURTHER RESOLVED, That any monies realized by Dolores Hotel LLC from a future sale of the Dolores Hotel should first be applied to reimbursing the City for all rehabilitation and renovation funds previously provided by the City to Dolores Hotel LLC.

RECOMMENDED:

(See File for Signature)_____
Amy L. Brown
Director of Property

(See File for Signature)_____
Douglas Shoemaker
Director of the Mayor's Office of Housing

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090356 **Date Passed:**

Resolution approving and authorizing the execution and performance of an Agreement For Sale of Real Estate relating to the property commonly known as the Dolores Hotel and located at 35-37 Woodward Street; adopting findings that the sale is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property and the Director of the Mayor's Office of Housing to execute documents, make certain modifications and take certain actions in furtherance of this Resolution.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090356

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090323 RESOLUTION NO. 179-09

[Approval of Software License and Software Maintenance contracts between the Department of Public Health and Philips Healthcare for the upgrade of the Philips CareVue critical care documentation system to the Philips IntelliVue Clinical Information Portfolio (ICIP) System]

Resolution authorizing the Department of Public Health to enter into a Software License and Software Maintenance contract with Philips Healthcare.

WHEREAS, the current critical care patient information system (CareVue Chart) manufactured by Philips Healthcare is no longer supported by Philips Healthcare; and

WHEREAS, after an extensive review by both Clinical and Information Technology staff the Department has determined that an upgrade to the new Philips ICIP system is in the best interest of the Department and for overall patient care; and,

WHEREAS, the Health Commission has approved the two contracts; and,

WHEREAS, Section 21.21 of the Administrative code requires that vendors fully indemnify the City for all claims of intellectual property infringement; and

WHEREAS, the Software License and related Software Maintenance contracts do not provide the City with full indemnification from Intellectual Property infringement claims; and,

WHEREAS, the Department and Philips Healthcare have negotiated a cap on intellectual property infringement indemnification which will limit the liability of Philips Healthcare to $1,500,000 excluding the City's legal cost for defending an infringement suit, for any claim of Intellectual Property infringement; and

WHEREAS, Philips Healthcare has certified that the proposed system has never had an Intellectual Property infringement claim against it; and

WHEREAS, that any contract that does not full comply with the requirements of Administrative Code Section 21.21 requires a resolution from the Board of Supervisors approving such contracts ; now, therefore, be it

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RESOLVED, That the Board of Supervisors hereby authorizes the Department of Public Health and the Office of Contract Administration on behalf of the City and County of San Francisco to enter into Software License and Software Maintenance contracts with Philips Healthcare for the upgrade to the Philips ICIP system as set forth in file number 090323.

APPROVED:

Mitch Katz, M.D.
Director of Health

APPROVED:

Health Commission

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090323 **Date Passed:**

Resolution authorizing the Department of Public Health to enter into a Software License and Software Maintenance contract with Philips Healthcare.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090323

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090536 RESOLUTION NO. 180-09

[Commending Chris Ellen Montgomery on her 25 years of service to the City and County of San Francisco]

Resolution commending Chris Ellen Montgomery for her 25 years of exceptional service to the City and County of San Francisco and the Department of Public Works.

WHEREAS, Chris Ellen Montgomery has spent 25 years as an employee of the City and County of San Francisco, working her way from Gardener to Assistant Superintendent of the Bureau of Streets Environmental Services before recently announcing her retirement; and,

WHEREAS, After successfully turning her passion for gardening into a career with the City and County of San Francisco working for the Department of Parks and Recreation and the Strybling Arboretum Society, Chris Ellen Montgomery quickly advanced through the Department of Public Works in several supervisory roles; and,

WHEREAS, In 2000, Chris Ellen Montgomery was selected as the Assistant Manager of Urban Forestry where she was instrumental in directing field operations as well as responding to citizens' concerns and helping to establish Clean Team projects; and,

WHEREAS, Chris Ellen Montgomery was promoted to Assistant Superintendent of the Bureau of Streets Environment Services where she was directly responsible for the handling of the Bureau's budget, personnel, office staff, graffiti unit and 28Clean as well as securing a two hundred and eighty percent increase in funding for street events and managing the Mechanical Sweeping program, Dispatch and Night Operations; and,

WHEREAS, During an important transition period for the Bureau of Streets Environmental Services, Chris Ellen Montgomery served as the bureau's Acting Superintendent, helping to smooth the transition to a new superintendent in addition to assisting in the training the new Assistant Superintendent of Operations and handling all

Supervisors Dufty, Campos

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facets of operations, special events, cleans-ups, staffing and emergencies; now therefore, be it

RESOLVED, That the San Francisco Board of Supervisors commends the service, dedication and achievements of Chris Ellen Montgomery during her 25 year career with the City and County of San Francisco and wish her well in the enjoyment of her family and friends.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090536 **Date Passed:**

Resolution commending Chris Ellen Montgomery for her 25 years of exceptional service to the City and County of San Francisco and the Department of Public Works.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090536

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/14/09
Date Approved

Mayor Gavin Newsom

[Board of Supervisors response to the 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street."

WHEREAS, Under California Penal Code Section 933 et seq., the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on the findings and recommendations contained in Civil Grand Jury Reports; and

WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a county agency or a department headed by an elected officer, the agency or department head and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the response of the Board of Supervisors shall address only budgetary or personnel matters over which it has some decision making authority; and

WHEREAS, The 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street" is on file with the Clerk of the Board of Supervisors in File No. 081018, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond to Findings Nos. 1, 2, 4, 5, 6, 7, 8 and 10 as well as Recommendations Nos. 1, 2 and 9 contained in the subject Civil Grand Jury report (Note that the recommendations do not correspond numerically with their associated findings); and

WHEREAS, Finding No. 1 states: "Homeless spending is large scale, complex and dispersed, but the City has no mechanism for regularly monitoring it across departments;" and

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WHEREAS, Finding No. 2 states: "Updating the six-year old 2001-2002 Budget Analyst's Report of direct and indirect homeless spending would provide worthwhile data to aid in assessing whether the trend in ever-increasing spending on homelessness is changing;" and

WHEREAS, Recommendation No. 1 states: "The Controller and the Board of Supervisors' Budget Analyst should update the 2001-2002 analysis of the City's homeless spending;" and

WHEREAS, Finding No. 4 states: "Efforts to monitor the cost effectiveness of supportive housing program have not been comprehensive, and have not included all cohorts of the population at risk of homelessness;" and

WHEREAS, Finding No. 5 states: "The costs of different homeless housing programs vary greatly for reasons which are poorly understood. Little analysis of these differences has been done;" and

WHEREAS, Finding No. 6 states: "It is unclear whether current plans to create one type of building over another or to develop new models are informed by past experience or by any cost/benefit analysis;" and

WHEREAS, Finding No. 7 states: "The City is just beginning to develop simple outcome measures of success relative to cost in its supportive housing program;" and

WHEREAS, Finding No. 8 states: "Greater freedom to experiment with different approaches and levels of service could facilitate greater cost effectiveness in supportive housing programs;" and

WHEREAS, Recommendation No. 2 states: "The City should order that comprehensive cost/benefit analysis be performed on current supportive housing programs to include: (A) costs of the supportive programs for various homeless populations compared to the cost avoidance through reduced use of emergency services, hospitals, jails, etc., and (B)

comparative analysis of specific programs and supportive housing models to assess reasons that the cost of providing supportive housing differs substantially between different programs that seem equally successful in outcome;" and

WHEREAS, Finding No. 10 states: "San Franciscans' continued support of efforts to house the homeless may depend on their observing an improvement in quality of life attributes such as aberrant street behaviors;" and

WHEREAS, Recommendation No. 9 states: "With the success of Housing First, the City should address the quality of life issues that concern the welfare of all San Francisco residents and should develop programs that enforce the law, demonstrate compassion, and move the affected population from harm reduction to meaningful living;" and

WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on Findings Nos. 1, 2, 4, 5, 6, 7, 8 and 10 as well as Recommendations Nos. 1, 2 and 9 contained in the subject Civil Grand Jury report; now, therefore, be it

RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the Superior Court that it agrees with Finding Nos. 1, 2, 4, 5, 6, 7, 8 and 10 as well as Recommendation Nos. 1, 2 and 9 of the 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street;" and, be it

FURTHER RESOLVED, Pursuant to Penal Code Section 933.05(c), the Board of Supervisors responds to the findings and recommendations to which it agrees by hereby urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 081095 **Date Passed:**

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2007-2008 Civil Grand Jury Report entitled "The homeless have homes, but they are still on the street."

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 081095

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/15/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: May 15, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
081095

FILE NO. 090486 RESOLUTION NO. 182-09

[Drug Enforcement Administration (DEA) raids on medical cannabis dispensaries.]

Resolution urging a cessation of recent Drug Enforcement Administration raids on medical cannabis dispensaries.

WHEREAS, Over the past decade there have been hundreds of Drug Enforcement Administration (DEA) raids on California medical cannabis dispensaries (MCDs) resulting in the seizure of property never to be returned despite arrests rarely being made and criminal charges rarely brought; and

WHEREAS, DEA raids are usually conducted during operating hours when seriously ill, disabled and qualified medical cannabis patients are present; and,

WHEREAS, Congressman John Conyers, Jr., Oakland Mayor Ron Dellums, Mayor Gavin Newsom and the Board of Supervisors have previously criticized DEA's activities regarding MCDs and called for Congressional oversight of DEA regarding medical cannabis; and,

WHEREAS, President Barack Obama repeatedly asserted during his campaign a position of recognizing and respecting state medical cannabis laws; and,

WHEREAS, In March, Attorney General Eric Holder articulated the Obama Administration's policy regarding MCDs as enforcement against only "egregious offenders" who violate both federal and state law; and,

WHEREAS, DEA has conducted at least four California MCD raids this year without making any arrests, most recently in San Francisco on March 25; and,

WHEREAS, There are serious concerns about the DEA's most recent raid because the DEA stated publicly that the MCD raid was in violation of both federal and state law. No arrests were made and no specific details given regarding state law violations because the matter is under court seal; and, now, therefore, be it

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RESOLVED, That the San Francisco Board of Supervisors urges an immediate cessation of DEA raids on California MCDs until U.S. Attorney General Eric Holder names a new DEA administrator who will appropriately implement President Obama's new federal policy on medical cannabis; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors urges U.S. Attorney Eric Holder to provide a further, clear direction in writing to DEA and federal judges currently hearing medical cannabis related cases further detailing the Obama Administration's policy on medical cannabis and the transparent implementation of the policy, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors urges DEA to return all improperly seized property and Congress to conduct DEA oversight hearings subsequent to the achievement of a new DEA Administrator, and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the Department of Justice to dismiss all cases currently pending against MCD operators, cultivation and/or medical cannabis patients whose activities are, and have been, in compliance with state law.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090486 **Date Passed:**

Resolution urging a cessation of recent Drug Enforcement Administration raids on medical cannabis dispensaries.

April 28, 2009 Board of Supervisors — CONTINUED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

May 5, 2009 Board of Supervisors — ADOPTED
Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 2 - Chu, Elsbernd

File No. 090486

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/15/09

Date Approved

UNSIGNED

Mayor Gavin Newsom

Date: May 15, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090486

FILE NO. 090528 RESOLUTION NO. 183-09

[Declaring May 12, 2009 as John Ross Day]

Resolution commending John Ross for his service to San Francisco over the past 45 years as a writer, poet, journalist, speaker, teacher, and community organizer, and declaring May 12, 2009 to be John Ross Day.

WHEREAS, John Ross is an author, poet, teacher, journalist, and long-time community activist and organizer; and,

WHEREAS, John Ross has written ten books of fiction and nonfiction including the Upton Sinclair Award-winning *Murdered By Capitalism: 150 Years of Life & Death on the American Left* and *Rebellion from the Roots: Zapatista Uprising In Chiapas*; and,

WHEREAS, John Ross, as a younger beat poet, produced nine chapbooks of poetry, greatly contributing to a homegrown San Francisco tradition; and,

WHEREAS, John Ross has traveled to some of the most remote and politically unstable places, putting himself in constant danger, to file journalistic reports for the San Francisco Bay Guardian, Pacific News Service, Counterpunch, the old San Francisco Examiner, and other publications and has told stories nobody else could or would tell; and,

WHEREAS, John Ross moved to San Francisco in 1964, and became a tenant organizer and a civil rights activist, fighting for improved housing conditions for low-income residents of the Mission and participating in historic actions including the sit-ins for black workers at the Sheraton Palace Hotel and the anti-discrimination protests on Auto Row; and,

WHEREAS, John Ross served two and a half years in a federal penitentiary as a prisoner of conscience after refusing, on moral grounds, to be drafted into the Vietnam War; and,

Supervisors Avalos, Daly, Campos

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WHEREAS, His parole officer told John Ross, as he left federal custody, that he had "never learned how to be a prisoner," which sums up Ross' thirst for freedom for all oppressed people; and,

WHEREAS, John Ross ran for San Francisco Supervisor in 1967, but was removed from the ballot because of his record of civil disobedience and his role as a war resister, and was not refunded his filing fee; now, therefore, be it

RESOLVED, That the city of San Francisco honors John Ross for his 45 years of literary and journalistic work and his political principles and passion; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the Department of Elections to research the 1967 election and give John Ross a refund, if he is due one; and, be it

FURTHER RESOLVED, That the May 12, 2009 Poems Under the Dome poetry event be held in honor of John Ross and his exceptional contributions to San Francisco's literary scene; and, be it

FURTHER RESOLVED, That the Board of Supervisors of The City and County of San Francisco hereby declares May 12, 2009 to be John Ross Day.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090528 **Date Passed:**

Resolution commending John Ross for his service to San Francisco over the past 45 years as a writer, poet, journalist, speaker, teacher, and community organizer, and declaring May 12, 2009, to be John Ross Day.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090528

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/15/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: May 15, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090528

FILE NO. 090533 RESOLUTION NO. 184-09

[Urging Golden Gate National Recreation Area (GGNRA) to consider needs of Ocean Beach.]

Resolution urging the Golden Gate National Recreation Area (GGNRA) to consider needs of Ocean Beach when allocating $16.1 million it has received in American Recovery and Reinvestment Act funds as well as future allotments of Federal funding.

WHEREAS, Ocean Beach is a treasure visited by two million people a year; and,

WHEREAS, Due to neglect, deferred maintenance, and erosion, there are many components of Ocean Beach that are in disrepair; and,

WHEREAS, San Franciscans deserve to have usable open space with appropriate levels of service, facilities and maintenance; and,

WHEREAS, The Golden Gate National Recreation Area which manages Ocean Beach was recently awarded $16.1 million dollars in American Recovery and Reinvestment Act funds; and,

WHEREAS, The Golden Gate National Recreation Area has published a list of projects that will benefit from this funding; and;

WHEREAS, Improvements to Ocean Beach are not included on this list; and,

WHEREAS, New funding streams through the American Recovery and Reinvestment Act are coming online every week that could benefit improvements Ocean Beach; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors urges the Golden Gate National Recreation Area to consider the needs of Ocean Beach when allocating the $16.1 million of American Recovery and Reinvestment Act funds; and, be it further

Supervisors Chu, Mar, Elsbernd, Campos
BOARD OF SUPERVISORS

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RESOLVED, That the San Francisco Board of Supervisors urges the Golden Gate National Recreation Area to seek funding for improvements to Ocean Beach in future allotments of Federal stimulus money.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090533 **Date Passed:**

Resolution urging the Golden Gate National Recreation Area (GGNRA) to consider needs of Ocean Beach when allocating $16.1 million it has received in American Recovery and Reinvestment Act funds as well as future allotments of Federal funding.

May 5, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090533

I hereby certify that the foregoing Resolution was ADOPTED on May 5, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/15/09
Date Approved

UNSIGNED
Mayor Gavin Newsom

Date: May 15, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090533

FILE NO. 090386 RESOLUTION NO. 185-09

[Approval of Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco and DaimlerChrysler Commercial Buses North America Ltd.]

Resolution approving Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 30-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, delete special tools that are no longer needed, and purchase training modules, at an additional cost of $1,075,524, for a total contract amount not to exceed $18,250,293.80.

WHEREAS, On June 30, 2006, the San Francisco Municipal Transportation Agency Board of Directors adopted Resolution No. 06-075, which authorized the Executive Director/CEO to execute Contract No. 350-30 (Procurement of 30-Foot Low Floor Hybrid-Electric Diesel Coaches) with Orion Bus Industries, for an amount not to exceed $17,132,780; and,

WHEREAS, On August 15, 2006, the Board of Supervisors adopted Resolution No. 484-06, which approved the award of a sole source contract (Procurement of 30-Foot Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $17,132,780; and,

WHEREAS, On October 20, 2006, Orion Bus Industries Ltd. changed its name to DaimlerChrysler Commercial Buses North America Ltd.; and,

WHEREAS, On March 24, 2008, the Executive Director/CEO executed Contract Modification No.1 to add new features to vehicles for an additional cost of $41,989.80; and,

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WHEREAS, All the hybrid electric buses have been delivered, accepted and are in revenue service; and,

WHEREAS, Lead acid battery technology has a limited useful life but was chosen at the time of award because it was the best available technology; and,

WHEREAS, The lithium-ion battery type technology is now mature and has been service proven for heavy duty urban transit and is expected to achieve reliability goals and contribute toward meeting on time performance requirements; and,

WHEREAS, A maintenance life cycle cost analysis projects a considerable operational cost savings over the life of the vehicles using lithium-ion batteries instead of lead acid batteries; and,

WHEREAS, On March 3, 2009, The San Francisco Municipal Transportation Agency Board of Directors adopted Resolution No. 09-038, which authorized the Executive Director/CEO to execute Contract Modification No. 2 to Contract No. 350-30, Procurement of 30-Foot Low Floor Hybrid-Electric Diesel Coaches, with DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 30-foot bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, delete special tools that are no longer needed, and purchase training modules, at a cost not to exceed $1,075,524, for a total contract amount not to exceed $18,250,293.80 subject to approval by the Board of Supervisors; now, therefore, be it

RESOLVED, That the Board of Supervisors approves Contract Modification No. 2 to Contract No. 350-30, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., at a cost not to exceed $1,075,524, for a total contract amount not to exceed $18,250,293.80.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090386 **Date Passed:**

Resolution approving Contract Modification No. 2 to Contract No. 350-30 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 30-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, delete special tools that are no longer needed, and purchase training modules, at an additional cost of $1,075,524 for a total contract amount not to exceed $18,250,293.80.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090386

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

May 19, 2009
Date Approved

Mayor Gavin Newsom

FILE NO. 090387 RESOLUTION NO. 186-09

[Approval of Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco and DaimlerChrysler Commercial Buses North America Ltd.]

Resolution approving Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 40-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, at an additional cost of $2,520,000, for a total contract amount not to exceed $32,223,133.25.

WHEREAS, On June 30, 2005, the San Francisco Municipal Transportation Agency Board of Directors adopted Resolution No. 05-104 which authorized the Director of Transportation to execute Contract Proposal No. 350, Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches with Orion Bus Industries, for an amount not to exceed $29,398,629; and,

WHEREAS, On August 2, 2005, the Board of Supervisors adopted Resolution No. 597-05, which approved the award of Contract Proposal No. 350 (Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $29,398,629; and,

WHEREAS, On October 20, 2006, Orion Bus Industries Ltd. changed its name to DaimlerChrysler Commercial Buses North America Ltd.; and,

WHEREAS, On December 28, 2006, the Executive Director/CEO executed Contract Modification No.1 to revise the quantity of Automatic Passenger Counter systems for an additional cost of $138,745; and,

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WHEREAS, On March 6, 2007, the Executive Director/CEO executed Contract Modification No.2 to change the quantities of spare parts, tools, and add new features to vehicles for an additional cost of $152,328.25; and,

WHEREAS, On March 24, 2008, the Executive Director/CEO executed Contract Modification No.3 to change the quantities of spare parts, tools, for an additional cost of $13,431;and,

WHEREAS, All the hybrid electric buses have been delivered, accepted and are in revenue service; and,

WHEREAS, Lead acid battery technology has a limited useful life but was chosen at the time of award because it was the best available technology; and,

WHEREAS, The lithium-ion battery type technology is now mature and has been service proven for heavy duty urban transit and is expected to achieve reliability goals and contribute toward meeting on time performance requirements; and,

WHEREAS, A maintenance life cycle cost analysis projects a considerable operational cost savings over the life of the vehicles using lithium-ion batteries instead of lead acid batteries; and,

WHEREAS, On March 3, 2009, The San Francisco Municipal Transportation Agency Board of Directors adopted Resolution No. 09-037, which authorized the Executive Director/CEO to execute Contract Modification No. 4 to Contract No. 350, Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches, with DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 40-foot bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, at a cost not to exceed $2,520,000, for a total contract amount not to exceed $32,223,133.25 subject to approval by the Board of Supervisors; now, therefore, be it

RESOLVED, That the Board of Supervisors approves the Contract Modification No. 4 to Contract No. 350, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., at a cost not to exceed $2,520,000, for a total contract amount not to exceed $32,223,133.25.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090387 **Date Passed:**

Resolution approving Contract Modification No. 4 to Contract No. 350 between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and DaimlerChrysler Commercial Buses North America Ltd., to replace the energy storage system in the entire 40-foot hybrid electric bus fleet from lead acid based batteries and controls to lithium-ion based batteries and controls with a five-year battery warranty, at an additional cost of $2,520,000 for a total contract amount not to exceed $32,223,133.25.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090387

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

May 19, 2009

Date Approved

Mayor Gavin Newsom

[Adoption of Board of Supervisors 2009 Budget Process and Policy Priorities.]

Resolution adopting the San Francisco Board of Supervisors' 2009 Budget Process and Policy Priorities.

WHEREAS, The City's annual budget is the most meaningful policy document of the City and County of San Francisco; and,

WHEREAS, The annual budget determines how the City prioritizes its functions and responsibilities, as well as the benefits and services that San Francisco residents receives; and,

WHEREAS, Section 9.114 of the Charter of the City and County of San Francisco directs each city department to provide budget submissions that delineate, among other items, the overall mission and goals of the department, strategic plans that guide each program or activity, and performance measures; and,

WHEREAS, In past years the budget timetable has not afforded the Board of Supervisors an opportunity to review the budget in an in-depth policy-based manner, including a focus on how departments achieve their objectives through their annual budgets; and

WHEREAS, Previous budget processes have not created significant opportunities for public input regarding budget priorities early in the budget process; and

WHEREAS, San Francisco faces unprecedented challenges in the 2009 budget due to declining revenues caused by a general economic depression and no matter how the City approaches addressing these challenges, no San Franciscan or City department will be left untouched; now, therefore, be it

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RESOLVED, That the highest priority of the 2009-10 budget is the stabilization of the functions of City government; and,

RESOLVED, The stated goals of fiscal year 2009-10 budget process is to gather and organize public input on budget priorities; to provide measurable policy priorities to the Mayor regarding Board priorities by May 10th, which will be an addendum to this resolution, and to review the fiscal year 2009-10 budget for policy, performance and program priorities and conduct a line item review for cost savings; and, be it

FURTHER RESOLVED, That members of the Board of Supervisors may hold a series of widely publicized open town hall meetings throughout San Francisco's supervisors districts to allow local residents, taxpayers and customers of City services to provide input into the City's budget priorities; and, be it

FURTHER RESOLVED, That there will be a scheduled hearing for public comment at City Hall on June ~~20~~ 18, 2009, ~~in order to accommodate residents Monday through Friday work schedules for the opportunity~~ to provide input into the City's budget priorities; and, be it

FURTHER RESOLVED, That the FY 2009-10 Budget and Finance Committee will have three phases of hearings, the first will be preliminary hearings of DPH, DHS, DPW, Police, Fire, Recreation and Park and the Sheriff's Department on the current year (revenues & expenditures, policy goals, and midyear budget cuts) and FY 2009-2010 (major policy and program changes, impacts of the Mayor's budget instructions, and the criteria used to determine budget reductions); and, be it

FURTHER RESOLVED, That for the Board of Supervisors second and third phase of hearings, which will include a first and second review of the Mayor's budget submission to the Board of Supervisors for all City departments, the Board of Supervisors will receive from the Mayor the enterprise department budgets on May 1st 2009 and the general fund department budgets on June 1st 2009; and, be it

FURTHER RESOLVED, That the Budget Analyst Office will serve to centralize information requests of departments and will conduct a line item budget review, presented in May for enterprise departments and in June for general fund departments, will conduct special projects, will query departments for Board of Supervisor policy and program priorities, and will review the Mayors technical adjustments; and, be it

FURTHER RESOLVED, That the Office of Legislative Analyst will provide staff support for the Budget & Finance Committee by tracking questions from the Budget and Finance Committee to departments; coordinate and analyze the first round of questions to City departments in March & April; will create a plan to collect and collate public input and create a communication tool to keep the public informed such as a website, and email address; and, be it

FURTHER RESOLVED, That the Board of Supervisors intends to program cost savings identified by the Budget Analyst in the Mayor's balanced budget to meet broad policy objectives identified in the 2009 budget process; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City & County of San Francisco adopts the 2009 budget process outlined in this resolution as City policy regarding review of the 2009-10 City Budget.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090285 **Date Passed:**

Resolution adopting the San Francisco Board of Supervisors' 2009 Budget Process and Policy Priorities.

May 12, 2009 Board of Supervisors — ADOPTED
Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

File No. 090285

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: May 20, 2009

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
090285

[Amending PG&E Energy Conservation Revenue Contract]

Resolution authorizing the Department of the Environment to amend a revenue contract with Pacific Gas and Electric Company ("PG&E") to add up to $ 3,700,000 and to further amend such contract up to an additional $3,000,000 to continue the Partnership Program between PG&E and the City and County of San Francisco for the Energy Use and Demand Reduction through Energy Efficiency Program.

WHEREAS, Charter Section 9.118 requires the Board of Supervisors to approve contracts, and amendments to contracts, having anticipated revenue to the City of one million dollars or more; and

WHEREAS, Pursuant to Charter Section 9.118, the Board of Supervisors adopted Resolution 463-06 ("2006 Resolution") authorizing the Department of the Environment to enter into a revenue contract ("Contract") with the Pacific Gas and Electric Company ("PG&E"), funded by monies allocated by the California Public Utilities Commission ("CPUC") from the Public Goods Charge Fund for the Partnership Program between PG&E and the City and County of San Francisco to fund the design and implementation of local programs to reduce energy use. The Resolution approved a three-year contract up to $10,709, 302, and authorized the Director of the Department of the Environment "to amend contract terms as necessary and advisable to allow flexibility in program design and implementation, without limitation, providing there is no cost to the City, and provided that additional revenues to the City do not exceed $3,000,000." The Contract would have expired June 30, 2009; and

WHEREAS, The executed Contact was for $10, 713,030, which exceeded the face amount approved in the 2006 Resolution by $3,728 but was within the Director of the Department of the Environment's amendment authority under the 2006 Resolution; and

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WHEREAS, The CPUC has approved "bridge" funding that PG&E estimates would make available $6,690,000 in additional funding for San Francisco's energy efficiency program and extend the Contract term to December 31, 2009; and

WHEREAS, PG&E has authorized San Francisco's "bridge" funding in two stages. On November 12, 2008, the Director of the Department of Environment, under his 2006 Resolution amendment authority, executed PG&E Contract Change Order 1 which added $2,990,000 to the Contract and extended the term of the Contract by six months, to December 31, 2009; and

WHEREAS, PG&E has authorized up to $3,700,000 of additional "bridge" funding, but that amount exceeds the Director of the Department of Environment's remaining amendment authority under the 2006 Resolution; and

WHEREAS, The exact amount of "bridge" funding available to the City cannot be precisely determined because it will be based upon monthly spending limits and performance factors during the "bridge" funding period; and

WHEREAS, PG&E and the City anticipate that the CPUC will authorize another multi-year cycle of funding for energy efficiency programs on or before the one year period of "bridge" funding expires; and

WHEREAS, The Contract, and the amendment authority granted by this Resolution, allow the City to terminate the Contract if the City becomes a Community Choice Aggregator; and

WHEREAS, a copy of the Contract, Change Order 1, and proposed Change Order 2 are on file with the Clerk of the Board in File No. 090370 ; now therefore, be it

RESOLVED, That pursuant to Charter Section 9.118, the San Francisco Board of Supervisors authorizes the Director of the Department of the Environment to amend the

Contract to add an additional $3,700,000 by executing Change Order 2 in substantially the form on file with the Clerk of the Board of Supervisors in File No. 090370 and to take other steps as such Director or the City Attorney deems necessary and advisable to effectuate the purpose and intent of this Resolution. The Contract, as so amended, together with the previously described amendments, will have a face value of up to $17, 403,030 and expire on December 31, 2009; and

FURTHER RESOLVED that the Director of the Department of the Environment may negotiate and agree with PG&E to further amend the Contract term and such other provisions as necessary and advisable to allow flexibility in program design and implementation, without limitation, providing there is no cost to the City, and provided that additional revenues to the City do not exceed $3,000,000.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090370 **Date Passed:**

Resolution authorizing the Department of the Environment to amend a revenue contract with Pacific Gas and Electric Company ("PG&E") to add up to $3,700,000 and to further amend such contract up to an additional $3,000,000 to continue the Partnership Program between PG&E and the City and County of San Francisco for the Energy Use and Demand Reduction through Energy Efficiency Program.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090370

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

[Accept and Expend Federal Funds – Fiscal Year 2009 Lead Based Paint Hazard Control Grant Program – 2009 Federal Recovery Act]

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $3,000,000.

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) has awarded a Fiscal Year 2009 Lead Based Paint Hazard Control Grant to the City and County of San Francisco (City) in the amount of $3,000,000 (the Grant) as part of the Federal 2009 Recovery Act, for a period of not more than thirty six months for the purpose of controlling lead based paint in eligible rental housing units and homeowner occupied housing units constructed before 1978; and

WHEREAS, Under the Grant agreement HUD requires the City to submit its work program and proposed budget within 60 days for HUD review and approval, and to commence operation of the lead hazard reduction demonstration program funded by the Grant no later than April 1, 2009; and

WHEREAS, MOH has prepared an Expenditure Schedule for the use of the Grant on file with the Clerk of the Board of Supervisors in File No. 090479, which is hereby declared to be part of this Ordinance as if set forth fully herein; and

WHEREAS, The grant requires a 25% match which has been reduced to 22.78% by HUD because of the special stimulus purpose of this grant; and

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WHEREAS, The City is providing an in-kind match of $683,332, which represents the City's contribution to the administration of the program for a period of three years, and

WHEREAS, The City will provide the required match funds through the annual Community Development Block Grant budget, and

WHEREAS, HUD has approved an amount of $106,530 to be included in the grant for indirect costs; and

WHEREAS, No amendment is required to the 2008-2009 Fiscal Year Annual Salary Ordinance with the acceptance of this grant; now, therefore be it,

RESOLVED, That the Board of Supervisors hereby authorizes the Director of MOH, on behalf of the City, retroactively to accept and to expend the Grant from HUD. The Director of MOH is hereby authorized to submit documentation and certifications required by HUD on behalf of the City.

Recommended:

See File for Signature
Douglas Shoemaker
Mayor's Office of Housing

Approved: See File for Signature
Mayor

Approved: See File for Signature
Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090479 **Date Passed:**

Resolution authorizing the Mayor of the City and County of San Francisco to retroactively accept and expend a grant from the U.S. Department of Housing and Urban Development for lead-based paint hazard reduction in a total amount not to exceed $3,000,000.

May 12, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090479

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

Amendment of the Whole
in Board
5/5/09

FILE NO. 090535 RESOLUTION NO. 190-09

[Declaring Van Ness Avenue and Geary Boulevard Bus Rapid Transits as San Francisco's Top Federal Small Starts Funding Priority]

Resolution declaring Van Ness Avenue Bus Rapid Transit and Geary Boulevard Bus Rapid Transit as San Francisco's top ~~and sole priorities~~ priority for Federal Small Starts Funding

WHEREAS, the Proposition K local transportation sales tax Expenditure Plan, approved by San Francisco voters in 2003, identifies Bus Rapid Transit (BRT) on Van Ness Avenue and Geary Boulevard as signature investments; and

WHEREAS, the 2004 San Francisco Countywide Transportation Plan identifies a network of BRT routes, including one on Van Ness Avenue and one on Geary Boulevard, as the preferred transportation investment alternative to meet long range transportation needs through 2030; and

WHEREAS, in 2001, the Metropolitan Transportation Commission, in adopting Resolution 3434, the Regional Transit Expansion Policy, identified $600,000 for a study of BRT feasibility on Geary Boulevard; and

WHEREAS, with the support of each project's Citizens Advisory Committee, the San Francisco County Transportation Authority (Authority) Board and the San Francisco Municipal Transportation Agency (SFMTA) Board adopted the Van Ness Avenue BRT Feasibility Study and the Geary BRT Feasibility Study, in 2006 and 2007 respectively; and

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WHEREAS, the Feasibility Studies found that BRT is feasible on Van Ness Avenue and Geary Boulevard and recommended proceeding with the next steps in environmental review and project development; and

WHEREAS, the Authority appropriated $1,950,000 in Proposition K to support environmental studies and preliminary engineering of Van Ness Avenue BRT, in January 2007; and

WHEREAS, the Authority applied for, and the Federal Transit Administration (FTA) granted entry into Project Development for the Van Ness Avenue BRT project in December 2007; and

WHEREAS, the FTA rated Van Ness Avenue BRT "high" for cost-effectiveness and "medium-high" overall as a Small Starts candidate project; making Van Ness BRT the highest ranked BRT project in the country for Small Starts funding; and

WHEREAS, the Authority appropriated $2,308,000 in Prop K to support environmental studies and preliminary engineering of Geary Boulevard BRT in June 2008, and intends to seek entry into Project Development for the Geary BRT project in August 2009; and

WHEREAS, the Authority and SFMTA have signed Memoranda Of Understanding (MOU) in August 2008, and October 2008, establishing the Van Ness Avenue BRT and Geary Boulevard BRT projects as shared agency priorities for near-term development; and

WHEREAS, On September 24, 2008, the Metropolitan Transportation Commission (MTC) added the Van Ness Bus Rapid Transit project to the Regional Transit Expansion

Policy (MTC Resolution 3434), which sets regional priorities for transportation funds, and named the project as one of two regional priorities for federal Small Starts Funds; and

WHEREAS, On April 22, 2009, the MTC Metropolitan Transportation Commission adopted Transportation 2035, the new Regional Transportation Plan for the Bay Area, which includes both the Van Ness and Geary Bus Rapid Transit projects in the financially constrained project list and positions both projects very favorably to receive state and federal funds; now, therefore, be it

RESOLVED, That the Authority hereby declares Van Ness Avenue BRT and Geary Boulevard BRT as San Francisco's top ~~and sole priorities~~ priority for Small Starts funding, and urges the Authority and the MTA to vigorously pursue Small Starts funding for final design and implementation of these projects, and to advocate for these projects at the regional, state, and federal levels.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090535 **Date Passed:**

Resolution declaring Van Ness Avenue Bus Rapid Transit and Geary Boulevard Bus Rapid Transit as San Francisco's top priority for Federal Small Starts Funding.

May 5, 2009 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

May 5, 2009 Board of Supervisors — CONTINUED AS AMENDED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090535

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/21/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090560 RESOLUTION NO. 191-09

[Proclaiming May 17th through May 23rd, 2009, as Public Works Week in San Francisco]

Resolution declaring May 17th through May 23rd, 2009, as Public Works Week in San Francisco; acknowledging that the San Francisco Department of Public Works is an integral part of the community and has produced significant achievements; encouraging all San Francisco residents and businesses to work in collaboration with the department.

WHEREAS, Public works programs and services provided in the City and County of San Francisco are delivered by a professional and committed staff of public works employees; and

WHEREAS, It is the mission of the San Francisco Department of Public Works to improve the quality of life in San Francisco through partnering with the community and providing outstanding public service; and where its programs and services, provided twenty-four hours a day, seven days per week, are an integral part of our residents' everyday lives; and

WHEREAS, During the last year, the San Francisco Department of Public Works has produced significant achievements, including the opening of the award-winning California Academy of Sciences, for which DPW provided project management services; and the accomplishment of Mayor Newsom's *Trees For Tomorrow* challenge with the planting of more than 25,000 trees; and

WHEREAS, Public works is dedicated to community outreach and has provided thousands of volunteers with meaningful neighborhood improvement work in the past year; and

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WHEREAS, An important feature of National Public Works Week is the recognition that public-private partnerships between the city and its residents, businesses and visitors, are vital to the success of public works projects; and

WHEREAS, The theme of 2009 National Public Works Week is *Revitalize, Reinvest, and Renew*, a theme embraced by DPW during the annual weeklong events honoring the women and men who make daily contributions in public works-related efforts, including designing, operating and improving the city's infrastructure; graffiti removal, tree planting and maintenance; neighborhood beautification and volunteer clean-ups; street and sewer repair; architecture and engineering services; and street use and mapping services; collectively known as public works, and now, therefore be it

RESOLVED, That the Board of Supervisors hereby declares May 17th through May 23rd, 2009, as Public Works Week in San Francisco and commends the men and women of the Department of Public Works while calling upon all of its residents, businesses, and neighborhood and merchant organizations to work in collaboration with the department as it enhances the quality of life in San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090560 **Date Passed:**

Resolution declaring May 17-23, 2009, as Public Works Week in San Francisco; acknowledging that the San Francisco Department of Public Works is an integral part of the community and has produced significant achievements; encouraging all San Francisco residents and businesses to work in collaboration with the department.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090560

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090561 RESOLUTION NO. 192-09

[Issuance and Sale of Revenue Bonds – 178 Townsend Street Housing Project.]

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments For Nonprofit Corporations in an aggregate principal amount not to exceed $30,000,000 for financing the rehabilitation of a housing project located at 178 Townsend Street, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

WHEREAS, ABAG Finance Authority For Nonprofit Corporations (the "Authority"), proposes to issue multifamily housing revenue bonds (the "Bonds") in an amount not to exceed $30,000,000 and to lend the proceeds thereof to 178 Townsend Properties, LLC (the "Borrower"), to be used for the rehabilitation by the Borrower of a 94-unit apartment project known as the 178 Townsend (the "Project") located at 178 Townsend Street in the City and County of San Francisco, California (the "City"), all to be owned and operated by the Borrower or an entity related thereto or a partner thereof; and,

WHEREAS, The issuance and delivery of the Bonds shall be subject to the approval of and execution by the Authority of all financing documents relating thereto to which the Authority is a party and subject to the sale of the Bonds by the Authority; and,

WHEREAS, The issuance and delivery of the Bonds as tax-exempt obligations shall also be subject to the approval of the California Debt Limit Allocation Committee ("CDLAC"); and,

WHEREAS, The Project is located wholly within the City and County of San Francisco (the "City"); and,

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WHEREAS, The interest on the Bonds may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") only if the Bonds are approved in accordance with Section 147(f) of the Code; and,

WHEREAS, The Board of Supervisors of the City (the "Board") or the Mayor of the City is required to approve the issue within the meaning of Section 147(f) of the Code; and,

WHEREAS, On May 2, 2009, the Borrower caused a notice to appear in the *San Francisco Chronicle*, which is a newspaper of general circulation in the City, stating that a public hearing with respect to the issuance of the Bonds will be held by the Mayor's Office of Housing on May 14, 2009; and,

WHEREAS, The Mayor's Office of Housing will hold the public hearing described above on May 14, 2009, and an opportunity will be provided for citizens to comment on the issuance and sale of the Bonds and the plan of financing for the Project; and,

WHEREAS, The Mayor's Office of Housing will conduct the public hearing on May 14, 2009, and the comments submitted at such hearing will be provided to the Mayor, and the Mayor is expected to approve the public hearing proceedings on or after May 14, 2009 in accordance with Section 147(f) of the Code; and,

WHEREAS, The Authority requires that the City adopt a resolution approving the issuance and sale of the Bonds; and,

WHEREAS, In Ordinance No. 36-07 (the "TEFRA Policy Ordinance"), the Board adopted a set of policies relating to the approval of bonds under Section 147(f) of the Code, also known as a "TEFRA Approval"; and,

WHEREAS, City staff has engaged the Issuer and the Borrower in negotiations regarding the satisfaction of the requirements of the TEFRA Policy Ordinance for purposes of this resolution; and,

WHEREAS, If and when the Bonds are issued, the Issuer and the Borrower have agreed that the Bond documents will require the Project to meet certain affordability requirements for at least 55 years, irrespective of the final maturity date of the Bonds, including (i) a provision that annual rent increases for affordable units will be limited to the percentage change in area median income for such years as such amount is determined by HUD. In the event that HUD does not make such a determination such amount shall be determined by the Mayor's Office of Housing ; and,

WHEREAS, As required by the TEFRA Policy Ordinance, if and when the Bonds are issued, the bond regulatory agreement will require the Borrower to comply with the following City policies: Local Disadvantaged Business Enterprise Subcontracting and Jobs Program; Non-Discrimination in Contracts and Equal Benefits Policy; Minimum Compensation Policy; Health Care Accountability Policy; and Prevailing Wage Policy (collectively, the "City Contracting Requirements"); and,

WHEREAS, The City is charged with monitoring compliance with and enforcing such City Contracting Requirements, and is aware of its responsibility in this regard; and,

WHEREAS, A description of the expected ownership and management structure of the Project after issuance in the form required by the TEFRA Policy Ordinance is on file with the Clerk of the Board of Supervisors in File No. 060897, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The Borrower has agreed to reimburse the City for staff time relating to this Resolution and the satisfaction of the agreements set forth in this Resolution; and,

WHEREAS, As reflected in the letter on file with the Clerk of the Board of Supervisors in File No. 090561, which is hereby declared to be a part of this resolution as if set

forth fully herein, the Director of the Mayor's Office of Housing recommends passage of this Resolution; and, now, therefore be it

RESOLVED, That this Board hereby finds and declares the above recitals are true and correct; and, be it

FURTHER RESOLVED, That this Board hereby approves the issuance and sale of the Bonds with respect to the Project by the Authority; and, be it

FURTHER RESOLVED, That the approval of the issuance and sale of the Bonds by the Authority is neither an approval of the underlying credit issues of the proposed Project nor an approval of the financial structure of the Bonds; and, be it

FURTHER RESOLVED, That the Bonds shall not constitute a debt or obligation of the City and the payment of the principal, prepayment premium, if any, and purchase price of and interest on the Bonds shall be solely the responsibility of Borrower; and, be it

FURTHER RESOLVED, The adoption of this Resolution shall not obligate (i) the City to provide financing to the Borrower for the acquisition, rehabilitation and development of the Project or to issue the Bonds for purposes of such financing; or (ii) the City, or any department of the City, to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the acquisition, rehabilitation, development or operation of the Project; and, be it

FURTHER RESOLVED, That in accordance with the TEFRA Policy Ordinance this approval is conditioned on the incorporation of the agreements by the Borrower referenced in the recitals of this resolution, including but not limited to the satisfaction of the City Contracting Policies, in the Bond regulatory agreement recorded against the property; and, be it

FURTHER RESOLVED, That this Resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM:

DENNIS J. HERRERA
City Attorney

By: _____
MARK BLAKE
Deputy City Attorney

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090561 **Date Passed:**

Resolution approving the issuance and sale of tax-exempt bonds by the Association of Bay Area Governments for Nonprofit Corporations in an aggregate principal amount not to exceed $30,000,000 for financing the rehabilitation of a housing project located at 178 Townsend Street, subject to the policies for such approvals adopted by the Board of Supervisors in Ordinance No. 36-07.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090561

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/21/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090562 RESOLUTION NO. 193-09

[Richmond/Senator Milton Marks Branch Library grand reopening]

Resolution recognizing the Grand Re-Opening of the Richmond/Senator Milton Marks Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

WHEREAS, The Branch Library Improvement Program (BLIP), funded by the bond measure passed in November 2000 by the voters of San Francisco, calls for sixteen branches to be renovated, four leased facilities to be replaced with City-owned buildings, three branches to be replaced with new buildings, and one brand-new branch to be constructed in Mission Bay; and,

WHEREAS, The Richmond/Senator Milton Marks Branch Library has been fully renovated and will celebrate its grand re-opening on Saturday, May 16, 2009 at 1:00 pm; and,

WHEREAS, This historic landmark Carnegie library is now seismically safe and fully accessible and has been transformed into a state of the art library designed to serve the neighborhood for many more decades to come; and,

WHEREAS, This renovation project includes nearly 50 percent more space and provides for a complete renovation and restoration, including seismic upgrade, Americans with Disabilities Act (ADA) access improvements, energy-efficient building systems and technology upgrades, while retaining the historical integrity of this 1914 Carnegie landmark building; and,

WHEREAS, Highlights of the renovation include an addition of 4,000 square feet, a new elevator, designated teen room, improved main reading and children's rooms, a significantly expanded collection of materials including more audiovisual and Chinese and Russian-language items, a large new program room, two study rooms, new additional

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computers, free WiFi access to the Internet, new and restored furniture, a beautiful two-story atrium, restored ornamental ceiling, additional public restrooms, enhanced landscaping surrounding both sides of the branch and a new play structure on 10th Avenue; and

WHEREAS, The new additions on each side of the library were sensitively treated in relation to the landmark status of the branch and followed the Secretary of the Interior's Guidelines for historic preservation; and

WHEREAS, The library continued to serve the community during the branch renovation with the help of the San Francisco Police Department Richmond Station, which hosted weekly children's lapsits and storytimes in their community room, by providing Bookmobile service, and by creating the temporary International Languages Collection at a nearby branch; and

WHEREAS, The Richmond/Senator Milton Marks Branch Library was awarded $5.9 million from the California Reading & Literacy Improvement & Public Library Construction & Renovation Bond Act of 2000 (Proposition 14), one of two San Francisco branch libraries to receive state funding and the only Carnegie library funded statewide; and

WHEREAS, The renovation has been a team effort between the San Francisco Public Library staff and administrators, Department of Public Works Bureau of Architecture, Division of Project Management, and Bureau of Construction Management, ISEC, Inc., Library Commissioners, Friends of the San Francisco Public Library, Planning Association of the Richmond (PAR) and members of the Richmond community who raised funds and helped design the branch to suit their neighborhood's needs; now, therefore, be it

RESOLVED, That the Board of Supervisors commends the San Francisco Public Library, the Friends of the San Francisco Public Library, the Department of Public Works,

members of the Richmond community, and the entire team that made this project so successful for their dedication and hard work; and, be it

FURTHER RESOLVED, That the Board of Supervisors invites the public to join the celebration of the re-dedication of the Richmond/Senator Milton Marks Branch Library on Saturday, May 16th at 1:00 pm at the branch, 351 Ninth Avenue.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090562 **Date Passed:**

Resolution recognizing the grand re-opening of the Richmond/Senator Milton Marks Branch Library and commending the San Francisco Public Library and its team for their hard work and commitment to San Francisco and its residents.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090562

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090563 RESOLUTION NO. 194-09

[Commending Superior Court Judge John Dearman for his 31 years of distinguished service to the City and County of San Francisco]

Resolution commending Superior Court Judge John Dearman for his 31 years of distinguished service to the City and County of San Francisco.

WHEREAS, Judge John Dearman moved to San Francisco in 1959 after graduating from Wayne State University Law School and realizing that no law firms in Detroit would even consider hiring an African American attorney; and

WHEREAS, Judge John Dearman began a law practice with Former Mayor Willie Brown in 1959 and practiced at Brown, Dearman and Smith for 12 years in San Francisco; and,

WHEREAS, In March of 1977, Governor Jerry Brown appointed Judge Dearman to the Municipal Bench; and,

WHEREAS, In February of 1979, Judge Dearman was elevated to the Superior Court of California; and,

WHEREAS, In 1990 and 1991 Judge John Dearman served as Presiding Judge of the City and County of San Francisco and also served as the Presiding Judge of the Court's Appellate Division; and,

WHEREAS, Judge John Dearman has received countless honors and awards including being a member of the National Bar Association Hall of Fame since 2002, the recipient of the 1984 Trial Court Judge of the Year Award and while also receiving the California Trial Lawyers Association's Humanitarian Judge of the Year Award in 1984; and,

WHEREAS, Judge John Dearman has been known as the "Dean" of San Francisco's bench for at least a decade and held the title of "Nicest person in the court" for at least

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twice as long according to his colleagues; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors thanks Judge Dearman for his 31 years of dedication and leadership on the San Francisco Superior Court bench, and, be it

FURTHER RESOLVED, That San Francisco Board of Supervisors wishes Judge John Dearman the best in all of his future endeavors.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090563 **Date Passed:**

Resolution commending Superior Court Judge John Dearman for his 31 years of distinguished service to the City and County of San Francisco.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090563

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

[Urging the Controller's Office to undertake a performance audit of the J Church Metro line]

Resolution urging the Controller's Office undertake a performance audit of the J Church Metro line.

WEREAS, According to a 2007 study by the MTA, more than 18,000 people ride the J Church on a daily basis during the work week; and

WHEREAS, The J Church has continued to fall well below the 85% on time performance goals set by MUNI with Proposition E in 1999; and

WHEREAS, The J Church travels between the Embarcadero and Balboa Station crossing through San Francisco's Duboce Park, Castro and Noe Valley neighborhood and Mission District; and

WHEREAS; San Franciscan's who depend on the J Church should be able to expect a reliable form of transit that has an on time performance rate of more than 65% of the time; and

WHEREAS; Since 2004, the J Church has yet to achieve an on time performance of more than 69%; now, therefore be it

RESOLVED; That the Board of Supervisors calls on the Controller's office to immediately undertake a performance audit of the J Church; and be it further

RESOLVED; That the Controller's office should compare the frequency and on time percentage rate of the J Church to all other Muni Metro lines in the City and County of San Francisco as well as SFMTA data on the length and frequency of trains run on the J, comparing planned headways to actual headways (time between trains), and comparing actual headways and train length to otherlight rail lines, weighted for relative ridership; and be it further

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RESOLVED; That the Controller's office studies SFMTA's Fleet Plan, Short Range Transit Plan, and Transit Effectiveness Project list of proposed improvements (capital and operating) for the J-Church and any additional data available from SFMTA and/or its Transit Effectiveness Project, particularly regarding operational strategies and planned improvements to reliability and expansion of capacity.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090564 **Date Passed:**

Resolution urging the Controller's Office to undertake a performance audit of the J Church Metro line.

May 12, 2009 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090564

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090559 RESOLUTION NO. 196 - 09

[Authorization for designated City and County officials to obtain federal financial assistance provided by the Department of Homeland Security]

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the law of the State of California, any applications or agreements and to take any actions necessary to obtain federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California, including the following grants: Emergency Management Performance Grant, Hazard Mitigation Grant, Pre-Disaster Mitigation Grant, and Emergency Operations Center Grant.

WHEREAS, The State of California, through various federal homeland security grant programs, provides support for the development and maintenance of the capability of local jurisdictions to prepare for and respond to terrorist attacks using weapons of mass destruction and provides for the dispersal of federal funds provided for this purpose; and

WHEREAS, The City and County of San Francisco has participated in these programs since their inception and deems participation in these programs as vital to the continued well-being of its residents and visitors, property and environment; and

WHEREAS, The State of California requires that San Francisco's agents be named in a governing body resolution, now, therefore be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco, a public entity established under the laws of the State of California, authorizes the Executive Director of the Department of Emergency Management or the Controller of the City and County of San Francisco, to execute for and on behalf of the City and County of San Francisco any applications or agreements and to take any actions necessary to seek or obtain federal financial assistance provided by the federal Department of Homeland Security

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and sub-granted through the State of California under the Homeland Security Grant Program, including the following grants: Emergency Management Performance Grant, Hazard Mitigation Grant, Pre-Disaster Mitigation Grant, and Emergency Operations Center Grant.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090559 **Date Passed:**

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the law of the State of California, any applications or agreements and to take any actions necessary to obtain federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California, including the following grants: Emergency Management Performance Grant, Hazard Mitigation Grant, Pre-Disaster Mitigation Grant, and Emergency Operations Center Grant.

May 12, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090559

I hereby certify that the foregoing Resolution was ADOPTED on May 12, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/20/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090455 RESOLUTION NO. 197-09

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim submitted by Marsanne Weese against the City and County of San Francisco for $26,974.20; claim was submitted on September 26, 2008.

WHEREAS, Marsanne Weese has submitted a claim on September 26, 2008 against the City and County of San Francisco for alleged damages relating to her employment; and

WHEREAS, the District Attorney's Office of the City and County of San Francisco has recommended settlement of said claim by payment of $26,974.20; and

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $26,974.20 is hereby approved.

APPROVED:

DENNIS J. HERRERA
City Attorney

ELIZABETH SALVESON
Chief Labor Attorney

RECOMMENDED:

SAN FRANCISCO DISTRICT ATTORNEY'S OFFICE

KAMALA D. HARRIS
San Francisco District Attorney

FUNDS AVAILABLE:

BENJAMIN LI ROSENFIELD
Controller

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City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090455 **Date Passed:**

Resolution approving the settlement of the unlitigated claim submitted by Marsanne Weese against the City and County of San Francisco for $26,974.20; claim was submitted on September 26, 2008.

May 19, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090455

I hereby certify that the foregoing Resolution was ADOPTED on May 19, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/28/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090591 RESOLUTION NO. 198-09

[*Lyme Disease Awareness Month*]

Resolution declaring May 2009 as Lyme Disease Awareness Month.

WHEREAS, Lyme disease is a serious bacterial infection that is commonly transmitted by infected ticks and is spreading everywhere in the world, including nationally, statewide and locally; and

WHEREAS, There is an average of 22,000 new cases of Lyme disease reported in the United States each year; and

WHEREAS, The Centers for Disease Control and Prevention indicates that the reported cases of Lyme disease are only 10 percent of the actual cases that meet surveillance criteria; and

WHEREAS, The tick that spreads Lyme disease has been found in 56 out of California's 57 counties; and

WHEREAS, Three San Franciscans have contracted Lyme disease and co-infections from being bitten by infected ticks in the City in the past three years; and

WHEREAS, If treated immediately and appropriately, Lyme disease can usually be cured; and

WHEREAS, If untreated or misdiagnosed, Lyme disease can cause long-term health problems, including neurological disorders, memory loss, muscle and joint pain, fatigue, psychological disorders and, in some rare cases, can be fatal; and

WHEREAS, In the State of California, ticks are present throughout the year and we must take precautions to protect humans and animals from tick bites all year long; and

WHEREAS, The month of May is recognized nationally and by the State of California as Lyme Disease Awareness Month; now, therefore be it

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RESOLVED that Board of Supervisors of the City and County of San Francisco, does hereby proclaim May 2009 as Lyme Disease Awareness Month.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090591 **Date Passed:**

Resolution declaring May 2009 as Lyme Disease Awareness Month.

May 19, 2009 Board of Supervisors — ADOPTED
Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Absent: 2 - Alioto-Pier, Daly

File No. 090591

I hereby certify that the foregoing Resolution was ADOPTED on May 19, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/28/09
Date Approved

Mayor Gavin Newsom

[Approval of Sheriff's Contract for Jail Commissary and Inmate Trust Fund Accounting & Management System with ARAMARK Correctional Services, LLC.]

Resolution approving a contract for operating the Sheriff's Jail Commissary and Inmate Trust Fund Accounting & Management System, between ARAMARK Correctional Services, LLC. (ARAMARK), and the City and County of San Francisco, acting by and through its Sheriff's Department.

WHEREAS, The San Francisco Sheriff's Department requested bids for the Jail Commissary and Inmate Trust Fund Accounting Management System; and,

WHEREAS, A three-member panel evaluated and scored the written proposals in accordance with the City-approved selection criteria; and,

WHEREAS, The Human Rights Commission determined DBE/LBE subcontracting goals do not apply; and,

WHEREAS, The three-member panel determined ARAMARK Correctional Services, LLC. is the best responsive and responsible proposer; and,

WHEREAS, Charter Section 9.118, "Contract and Lease Limitations", Subsection (a) requires Board of Supervisors' approval of any contract which, when entered into, has anticipated revenue of one million dollars or more; and,

WHEREAS, The Sheriff's Department has an Inmate Welfare Fund, as provided for in California Penal Code Section 5000-5030.1; and,

WHEREAS, ARAMARK Correctional Services, LLC. shall pay to the Sheriff's Inmate Welfare Fund a percentage commission of 42.5% of net sales, with a guaranteed annual minimum income of $650,000; and,

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WHEREAS, The proposed contract agreement is on file with the Clerk of the Board of Supervisors in File No. 090450, which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the Jail Commissary and Inmate Trust Fund Accounting & Management System Agreement by and between ARAMARK Correctional Services, LLC., and the City and County of San Francisco, acting by and through its Sheriff's Department, for a three-year term, and two one-year options exercisable by the Sheriff's Department.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090450 **Date Passed:**

Resolution approving a contract for operating the Sheriff's Jail Commissary and Inmate Trust Fund Accounting & Management System, between ARAMARK Correctional Services, LLC. (ARAMARK), and the City and County of San Francisco, acting by and through its Sheriff's Department.

May 19, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090450

I hereby certify that the foregoing Resolution was ADOPTED on May 19, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/28/09
Date Approved

Mayor Gavin Newsom

FILE NO. 090478 RESOLUTION NO. 200-09

[Grant to fund a project through the HIV Epidemiology Section, Department of Public Health.]

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a grant in the amount of $402,342 from the Centers for Disease Control and Prevention (CDC) to support the Medical Monitoring Project (MMP); for the period of June 1, 2009 through May 31, 2010.

WHEREAS, The CDC is supporting DPH's HIV Epidemiology Section participation in the MMP; in the amount of $402,342, for the period of June 1, 2009 through May 31, 2010; and,

WHEREAS, The CDC is allocating funds annually but intends to fund the project for five years if the grantee's progress is satisfactory, in which case DPH will get a total of $2,178,238 for five years; and,

WHEREAS, The MMP is a comprehensive population-based project to gather detailed information on HIV-infected patients receiving care in the United States; and,

WHEREAS, San Francisco was announced as one of the study sites in the CDC grant announcement (Funding Opportunity No. PS09-937) released March 9, 2009; and,

WHEREAS, The grant does not require an ASO amendment and partially reimburses DPH for one existing position, Manager 1 (Job Class 0922) at .05 FTE for the period of June 1, 2009 through May 31, 2010; and,

WHEREAS, The budget includes $392,484 in contractual services, which will be paid to the Public Health Foundation Enterprises through a sole source contract; and,

WHEREAS, The budget includes a provision for indirect costs of $1,501; now therefore, be it

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RESOLVED, That DPH is hereby authorized to accept and expend a grant in the amount of $402,342 from the CDC; and, be it

FURTHER RESOLVED, That DPH is hereby authorized to accept and expend the grant funds pursuant to San Francisco Administrative Code section 10.170-1; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the Controller is directed to designate all positions funded under this agreement as "G" or grant-funded positions which would terminate when the agreement expires.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

Office of the Mayor

for Office of the Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 090478 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (DPH), to accept and expend a grant in the amount of $402,342 from the Centers for Disease Control and Prevention (CDC) to support the Medical Monitoring Project (MMP); for the period of June 1, 2009, through May 31, 2010.

May 19, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090478

I hereby certify that the foregoing Resolution was ADOPTED on May 19, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

5/28/09
Date Approved

Mayor Gavin Newsom

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